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ART. I. — *Critik der reinen Vernunft*; von IMMANUEL KANT. Siebente Auflage. Leipzig. 1828.

KANT's investigation, as we have several times repeated, lies wholly within the sphere of the cognitive subject. He is investigating, not knowledge, but our means of knowing. His design is, by a thorough analysis of the faculty of intelligence, to ascertain the conditions of knowing, and to obtain a canon of science, by which we may always be able to distinguish genuine knowledge from its counterfeit. This design he does not profess to have fully executed, and his *Critic*, he tells us, is, therefore, a cathartic for purging the understanding of errors hitherto imbibed, rather than a canon universally applicable.

The first great positive doctrine, which Kant teaches, is, so far as we can comprehend it, that we never attain to a knowledge of things as they may be assumed to exist independently of our cognition of them, that is, as things in themselves; but merely as objects mentally apprehended. *Subject* and *object* are correlatives, and one, therefore, cannot be without the other. A tree, for instance, is a certain determinate object which exists in our intuition as the correlative of the subject of the intuition. But does not the tree exist independently

of the intuition? Is it not there before my window all the same when I see it and when I see it not? On the Kantian philosophy, this question is absurd; for it presupposes that I may conceive of somewhat of which I have no intuition. But conceptions without intuitions are void. Then I cannot ask whether the tree does or does not exist independently of my beholding it; for, independently of my beholding it, that is, of my intuition of it, it is to me no object of conception.

But what! has the universe no existence, save as the object of my intuition? So, in very deed, it would seem, if, as Kant alleges, we can apprehend it only as the correlative of the subject apprehending. Yet Kant does not *deny* the existence of the object as thing existing apart from the subject; for, apart from the subject, it can be no object of conception, and therefore can neither be denied nor affirmed. It may, for aught we know, exist *really* independently of us, but not *formally*; for it exists formally only in the intuition. Hence his second great positive doctrine, that on which he founds his claims to originality, namely, that the *form* of the thought (intuition and conception), or the form under which the object is cognized, is derived from the subject; never, as metaphysicians had hitherto fancied, from the object. The formal existence of the tree is, therefore, purely subjective. But the tree is cognized only as object, never as thing in itself; consequently, its real existence, practically, if not absolutely, is also purely subjective.

That the *formal* existence of some objects of knowledge may be said to be subjective, we are not disposed to deny; but then the formal conceptions, to be of any validity, must have a virtual, if not an actual, objective foundation *in re*. This is the case with the attributes of God, such as wisdom, justice, goodness, &c. In our conceptions, these attributes are *formally* distinct, but in God they are identical; for the divine essence is simple, and admits of no distinction. The attribute is identical with the subject regarded as pure essence, and pure essence is identical with pure act. God is not

Creator *in potentiâ*, — for that which exists only *in potentiâ* is imperfect, and needs for its perfection to be realized in act, — but Creator *in actû*. He is not wise, just, and good, when we speak strictly, but wisdom, justice, goodness; and wisdom, justice, and goodness are in him not distinct attributes, but *essentially* one and the same. Yet, by reason of his infinity, is there a real foundation in him for what, in our conceptions of him, are distinct attributes. Consequently, our conceptions of distinct attributes are formally subjective, yet *virtually* objective; for they have their foundation in reality; that is to say, in the infinity of God, which answers to what, owing to our limited faculties, are in us distinct conceptions. There is, then, no objection to admitting that the form of *some* objects of knowledge is imposed by the subject, in case the object is conceded to exist really, and the forms of the intuition to have a *virtual* foundation in reality. But Kant assumes that the forms, under which all objects are mentally apprehended, are without any foundation, actual or virtual, in the thing apprehended; both the forms and the object are then reduced to mere empty conceptions, or mere modes of the subject, from which, if *formally*, they are nevertheless *really*, indistinguishable.

But Kant goes still further, and demonstrates very conclusively that we can have intuition of ourselves only in the intuition of the diverse; that is, that the synthetic judgment *I think* is possible only on condition of the synthetic judgment *I think somewhat* (*aliquid*), and somewhat diverse from myself. But this *somewhat* is merely a mode or affection of myself, and is only formally, not really, actually or virtually, distinguishable from me. Consequently, I can have only a formal, not a real, intuition of myself. Consequently, again, with the knowledge of the *not me* falls the knowledge of the *me* itself; I cease to be able to know any thing, and all science is an illusion. To this conclusion, as we have heretofore proved, we are inevitably driven, if we adopt Kant's premises.

But these premises are false, and the doctrines of

the old metaphysicians, which Kant denies and labors to overthrow, are substantially true and worthy of all acceptation. In departing from them, and seeking the foundation of the form of the thought in the subject, instead of the object, Kant has placed science on the wrong track, and caused it to retrograde instead of advancing. This is what we hope to make good in the course of what follows.

Kant, we repeat once more, is investigating the subjective faculty of intelligence. This faculty he regards as complex, and capable of being resolved into, —

1. Sensibility, or the Receptivity ;
2. Understanding, or the power of conceiving ;
3. Reason, or the faculty of Ideas.

Sensibility furnishes us with sensations, and sensations furnish us with *intuitions* (*Anschauungen*) and *representations* (*Vorstellungen*) of objects ; Understanding is that power by which an object represented or presented by sensibility is *thought*, and it furnishes us with *conceptions* (*Begriffen*) ; Reason is the power by which we give unity and ideal completeness to our conceptions, and by it we are furnished with *ideas*, which are to conceptions, in some respects, what conceptions are to intuitions.

In accordance with this threefold division of the faculty of intelligence, Kant divides his work into three general divisions: 1. Transcendental Æsthetics, in which he treats of the Intuitions ; 2. Transcendental Logic, or Elementary Science, in which he discusses the Conceptions, or the Categories of the pure Understanding ; 3. Transcendental Dialectics, in which he discusses the Ideas, and makes the especial Critic of the pure Reason, as distinguished from Sensibility and Understanding. We shall be obliged to confine our remarks almost exclusively to the first two of these three general divisions.

The great problem which Kant undertakes to solve, we have seen, is, How are synthetic judgments *a priori* formed ? This question he attempts to answer by a

rigid and subtile analysis of the faculty of intelligence. He begins by analyzing the fact of experience. This fact he makes consist of two parts, — the one empirical and *a posteriori*, the other *a priori*, and supplied from the understanding itself. He then eliminates the empirical portion, and proceeds to his analysis of the *a priori* portion, which he terms cognition *a priori*. This cognition *a priori* is assumed to lie already in the understanding prior to any fact of actual cognition, as the ground and condition of the possibility of actual cognition, or, what is the same thing, experience. If we consider this cognition *a priori* in its application to some particular fact of experience, it is simply cognition *a priori*; but if generally, as abstracted from all particular facts of experience, and as the simple possibility of the application of the cognition *a priori* to the empirical fact, it is *Transcendental Cognition*, because it can be brought into none of the categories or predicaments, but transcends them all. A complete system of all our transcendental cognitions would be a TRANSCENDENTAL PHILOSOPHY; but Kant here does not attempt a complete system, but merely a critic of pure reason, and therefore, gives us only a TRANSCENDENTAL CRITIC.

Assuming the threefold division of the faculty of intelligence stated, Kant arranges all our mental phenomena under three heads: 1. Intuitions; 2. Conceptions; 3. Ideas.

The intellectual phenomenon, or actual cognition, in its complete sense, is a complex fact, composed of intuition, conception, and idea. Without these three, no valid cognition. Intuitions without conceptions are blind; conceptions without intuitions are void, and without ideas are incomplete and incoherent; ideas without intuitions and conceptions are merely *entia rationis*, utterly invalid and worthless.

Ideas are always by their very nature transcendental, corresponding, if we do not blunder in regard to them, in part with the *universals* of the Schoolmen. But intuitions and conceptions may be both *a priori* and

empirical. Empirical intuition, that is, actual intuition of some determinate object, is possible only on condition of a *a priori* intuition of object in general. This *a priori* intuition, considered without application to object at all, but as the simple possibility of intuition of object in general, is the Transcendental Intuition; and the science of our transcendental intuitions is, TRANSCENDENTAL ÆSTHETICS. The conceptions are also susceptible of the same analysis. The conception *a priori*, that is, of object in general, considered without reference to any intuition in particular, or intuition in general, but as the possibility of its application to intuition in general, is the Transcendental Conception; and the science of our transcendental conceptions is TRANSCENDENTAL LOGIC, or elementary science. Having made these explanations, and definitions, we proceed to consider,

I. TRANSCENDENTAL ÆSTHETICS.

We remark, in the outset, that we are far from accepting Kant's analysis of the faculty of intelligence. We do not admit his distinction between intuition and conception, nor that which he contends for between conception and idea. The fact of knowing is *sui generis*; but considered psychologically, it is a simple, indecomposable fact. The human soul, the human *me*, taken as that which it eminently is, is, as Leibnitz contends, a monad, or simple substance, and, as we proved in our former article on Kant, admits of no division into separate faculties. The distinction of faculties is a distinction merely, not a division, or a separation; and proceeds not from any defect of strict unity and simplicity of substance or essence, but from limitation of nature, in consequence of which, the soul is not pure act, but in part power, seeking to realize itself in act. In God, who is perfect essence, substance, or being, save so far as concerns our conceptions of him, there is no distinction of attributes; for he is not the power to do, but the doing, — not a merely possible Creator, but an actual Creator. There is in him no distinction, no

interval, so to speak, between the power and its realization. We are created in the image of God, and therefore must needs be essentially active force (*vis activa*); but we are imperfect forces, because imperfect beings, that is, we are not being in its completeness; for, if we were, we should be God, and not merely created in his image. We exist in part potentially, rather than actually, and are less pure act itself, than the perpetual aspiration to it. If it were not for this fact, the distinction of faculties in human nature would be as inadmissible as the distinction of faculties in the divine nature itself.

The soul is not mere power (*potentia nuda*), otherwise it would have no substantial existence, and therefore could not be said to be at all; for being (*esse*) is not the power to act, but force acting (*vis activa*). So far forth as the soul is, as it is a real entity, it is force acting, or active force, which is the radical conception of entity or substantial being. But as it is a limited being, it is in relation to its limitations only virtual being, or mere potential being. Hence the soul may be defined to be both actual being and virtual being, both active and potential force. Hence it is, and aspires to be more than it is, or to *be* more completely.

The distinction between the *me* and its faculties, so far as such distinction is conceivable, is the distinction between actual being and potential being, between *vis activa* and the *potentia nuda* of the Schoolmen. But as the power (*potentia*) is a defect, an imperfection, a negation of being, not something positive superadded to the soul as essence, the distinction between the *me* and its faculties is, as we have before shown, *really* inadmissible. Then again, if we shift our point of view, and consider the faculty, not as the negation of being merely, but as the positive ability of the soul to remove its limitations by realizing its essence, as the virtuality of the soul, then it becomes virtually the soul itself, and therefore virtually indistinguishable from it, as we contended in our former article. The soul and its faculty are the soul in its actuality and its virtuality, in its actual essence and its virtual essence. The faculty is

not actually the soul, because it is not actual being ; it is virtually the soul, and becomes it really and identically just so far as it becomes real. Essentially, then, the faculty and the soul are one and the same.

But as the realization of the possibility of our nature, to which we tend, is effected by distinct and separate moments, a classification becomes possible. The soul, considered as the power tending to realize itself in one class, is what we term one of its faculties ; considered as tending to realize itself in another class, it is what we term another of its faculties. Psychologists have arranged all the phenomena resulting from the several moments in three classes ; namely, Volitions, Sentiments, and Cognitions. Man may therefore be defined, psychologically, a being that acts, feels, and knows. But he is so far forth as real being a monad, or simple substance, and therefore must enter into each class as actor with the simplicity and entireness of his nature. Consequently, he is *essentially* present in each and all three of the classes, as identically volitive, sensitive, and cognitive. Essentially considered, therefore, the distinction of classes would be inadmissible. But as the soul in no one, nor in all, realizes its entire virtuality, and as this virtuality is realized under distinct phases, a *virtual* distinction, corresponding to the one named, is unquestionably admissible. But, as the distinction of attributes is virtual, not real, it follows that the distinction between volitions, sentiments, and cognitions is virtual, not real.

At most, then, only a virtual distinction in the soul, of the three faculties of willing, feeling, and knowing, can be admitted. How, then, shall we admit a further distinction, not virtual merely, but real also, in the faculty of intelligence itself ? Is to know made up of distinct and separate moments ? Is it not one simple fact, whatever its sphere, degree, or conditions ? What is the evidence on which Kant grounds his division of the virtuality of the soul to know, into sensibility, understanding, and reason ? He speaks of blind intuitions and of void conceptions, and presupposes that the *me* may act as sensibility, without at the same moment

acting as understanding, and that it may act as understanding without acting as sensibility. But this is impossible; for the soul is one and simple, and admits of no plurality or complexity. In intuition the soul is active, for intuition is the active beholding of the object, not the mere passive reception of the representation. Assume the soul to be purely passive, and the representation would be impossible. Kant himself nowhere regards the receptivity as pure passivity, for it is that by which the object is actively placed before the mind. Then in the intuition the *me* is active. If active, it is active with what it is essentially. It is essentially volitive, sensitive, and cognitive, and therefore must needs be all three in each and every intuition. Consequently, a blind intuition, or an intuition in which the soul is not actively cognoscent, is impossible.

We are aware, that what Kant calls sensibility is supposed to be in some way dependent on the body, and to be in consequence of this distinguishable from understanding, which is held to be purely psychical. Man is unquestionably, as Bossuet says, a being made to live in a body, and is in all his operations served by bodily organs. But man is himself always the operator. In vision the eye does not see, in hearing the ear does not hear, but the soul. The force that sees or hears is not physical, but psychical, or rather spiritual. So in every fact of knowledge, whether of material objects or spiritual, the *knower* is always the same identical spiritual subject, knowing always, because spiritual, but through bodily organs of knowledge. In this mode of being, independently of the body, man never acts, performs no function at all. But as he himself is not body, but spirit living in body and served by bodily organs, whatever he wills, feels, or knows, must be willed, felt, or known by spirit.

The union of soul and body is unquestionably a mystery which exceeds our ability to explain; yet of the fact of such union we can be as well assured as of any other fact whatever. How the soul can use the body and be itself affected by whatever affects the

body is also a mystery, an impenetrable mystery. All we know is, that it does use the body, and is affected by all its accidents. What we call affections of the body are in reality affections of the soul, at least in great part. In pain, it is not my body that suffers the pain, but I myself. So in disease, and the innumerable ills that flesh is heir to. The agent and patient are the psychical man, not the physical man. In sensibility, I use what are called the senses. But in strictness what are called the *senses* are not senses, but the *organs* of sense. That which *senses* is the spiritual force which I call I, myself.

Assuming this, we are unable to perceive any thing in the alleged fact of the dependence of sensibility on material organs, that militates against the simplicity of the cognitive faculty. The dependence on bodily organs is no greater nor otherwise in intuition than in conception, sentiment, or volition. We repeat, therefore, that blind intuitions are impossible. The *me* is *me*; the *me* = *me*, essentially considered. It is essentially intelligent force; wherever present, it must be cognoscent. It is present in intuition. Then the intuition cannot be blind.

Nor are empty conceptions possible. In conception, I am present as the subject of the conception. But no finite being can perform a single act by himself alone. The subject can act only on condition of an object that acts in conjunction with the subject. A void conception is a conception in which nothing is conceived, a conception which has no object, that is to say, an act performed by the subject alone, without the concurrence of any object; an act impossible to any finite and dependent being, and possible only to the Infinite Being himself. Nor is this all. In every conception, as a matter of fact, I do conceive of somewhat. This somewhat, which stands in the conception as object, must be either *me* or not *me*. But the *me* is not and cannot be its own object, for it cannot redouble and fold itself over so as to look into its own eyes; and moreover, because in every conception the *me* recognizes

itself as the subject of the conception, and Kant himself shows that the *me* can have intuition of itself only in intuition of the diverse, that is, in intuition of somewhat distinguishable and diverse from itself. But in every conception I have intuition of myself. Then in every conception I have intuition of some object which is not myself. A conception in which there is intuition of object is not a void conception. Consequently, void conceptions are impossible.

It follows from what we have said, that a real division of the cognitive faculty, a division which implies that one part of the faculty can operate, and another part be at rest, is inadmissible; that there are no intuitions without conceptions, and no conceptions without intuitions; and furthermore, that intuitions and conceptions are not distinct phenomena, but both are given simultaneously and as one simple, indecomposable fact. All intuition is cognition, and all cognition is intuition, for all knowing is by beholding the object known.

But waiving this, and leaving the analysis in question to stand for what it is worth, we proceed at once to the more direct consideration of the science of the principles of sensibility, which, as we have said, Kant denominates *Transcendental Aesthetics*. Our readers must be careful not to confound sensibility as understood by Kant with sensibility as the psychological principle of that class of our mental phenomena termed the sentiments, such as love, joy, grief, hope, fear, &c. This class of our phenomena we do not find recognized by our psychologist. He agrees with Locke in recognizing in the *me* only two general faculties; namely, WILL and UNDERSTANDING. Both he and Locke deny to the sentiments a special psychological principle, and hence the dry, hard, rationalistic character of their respective systems, which repulses whatever is generous, noble, heroic, or devotional, and tempts us perpetually, while studying them, to exclaim of either, as St. Theresa did of Satan, "Alas! unhappy being, he does not love."

By sensibility, as we have already said, Kant under-

stands a subdivision of the general faculty of intelligence, that subdivision by which the object is represented, or presented, placed before the mind, or by which we are furnished with intuition of it. The affection of the senses furnishes us with sensations; sensations with intuitions. But intuitions referred to objects are empirical, and empirical intuitions are not possible without intuitions *a priori*. Of intuitions *a priori*, there are two; namely, SPACE and TIME.

We remark here, that Kant makes the affection of the senses necessary to actual intuition, and he teaches that conceptions without intuitions are void. Therefore there can be valid conceptions only on condition of actual intuition, and actual intuition only on condition of some affection of sensibility. Hence it follows, that our actual cognition, in case cognition be admitted, must be confined to cognition of sensible objects *plus* ourselves, which proves what we before asserted, that his system, assuming it to admit science at all, is a system of pure sensualism, and as far removed from a true spiritual philosophy as that of Condillac himself; for he nowhere teaches or implies, that any but material objects are capable of affecting the senses. But this by the way.

I cannot have intuition of object without intuition of its *locus*, that is, of its space, and this intuition requires in turn intuition of space in general. Intuition of space in general requires the transcendental intuition, or intuition of the possibility of the application of the intuition of space in general to intuition of some determinate portion of space, or space in particular. But whence this transcendental intuition? and what is it? It is not derivable from experience, for all experience presupposes it; nor from object, because it is not intuition of any object in particular, or some determinate portion of space; but is the necessary *a priori* condition of possible determinate intuition. It must, then, lie *a priori* in the sensibility, and be the form which the sensibility imposes upon all empirical intuitions.

All empirical intuitions are accompanied by intuitions of simultaneousness or succession, that is to say, of TIME. The intuitions of change, of succession, cannot give me the intuition of time, for they all presuppose it. Change, succession, mark or measure time, and are therefore distinguishable from it. The intuition of time must, then, necessarily precede them. An event occurs. I can have intuition of it only by having intuition of a determinate portion of time. This implies intuition *a priori* of time in general, and this last the *transcendental* intuition of time, that is, of the possibility of the application of the intuition of time in general to a possible empirical intuition. This transcendental intuition of time, like that of space, lies originally in the sensibility, as the form it necessarily imposes on all its empirical intuitions.

The simple fact, that all our empirical intuitions, taken as they are in Kant's statement, imply or presuppose the intuitions of space and time, we are not disposed to question. But, in the first place, the restriction of the fact of intuition to intuition of mere sensible objects, as they are called, can be justified only by assuming the subdivision of the cognitive power of the subject, which we have denied. In point of fact, all thinking is intuition, and one class of our mental phenomena are no more or less so than another. In all cases there is intuition, that is, according to the etymology of the word, an actual beholding, looking upon, or apprehension by the mind, of the object of which there is intuition. Even in memory it is the same. In remembering there is always actual intuition of the fact remembered, for the fact of memory is not a creation of the subject at the moment remembered, nor a non-existent fact, when unremembered. We are capable of intuition of bodies, which is called perceiving in space ; of events, which is perceiving in time ; of ideas, which is perceiving in eternity, though ideas are never perceived as pure ideas, but always in the bodies or the events in which they realize and reveal themselves.

In the second place, we deny that space and time are

mere forms of our sensibility, which it imposes upon the objects beheld. We readily admit that they are not things, entities, in the language of the Schoolmen. We also admit that they are the forms of all our intuitions, under which we perceive all the objects we do perceive ; but they are forms imposed by the objective world on our perception, not the forms which the perception imposes on the object perceived. Brilliant discoveries often turn out to be brilliant errors, and this will prove to be the case with this famous discovery of Kant, that time and space are nothing but the subjective forms of our sensibility.

Kant himself, in admitting, as he very properly does, that all knowledge begins with experience, has deprived himself of the right to insist on his own doctrine. It is obviously true, chronologically considered, that there is no actual intuition of time and space prior to experience of bodies and events. Prior to this, there lies in the sensibility merely the capacity to perceive bodies and events, that is to say, the possibility of the empirical intuitions of space and time. Now admit that the empirical intuition demands, as its condition, the *a priori* intuitions, that is, the intuitions of space and time in general, it by no means follows that these last may not be perceived along with the first. Kant establishes three things: 1. That in every empirical intuition of determinate space or time, there is always and necessarily the intuition of space or time in general ; 2. That this intuition of space or time in general is not logically obtainable from empirical intuition *in the sense he defines empirical intuition* ; 3. Which is only a corollary from the first, that, in order to be able to have intuition of determinate space and time, we must be able to have intuition of space and time in general. But in all this he merely proves, that, in order to be able to perceive the determinate, the particular; we must be able to perceive the general, because the particular always presupposes the general. Yet this does not prove his doctrine. In order to prove that, it is not enough to prove that in the intuition of the particular there is always

and necessarily intuition of the general, but that the general lies *a priori* in the sensibility, and is supplied from it. But this, so far as we have been able to discover, he does not prove. For, from the fact that the particular is never, or even can never, be perceived without the general, we have no right to conclude that the general is supplied from the sensibility, any more than we have, that the particular itself is supplied from the same source.

Furthermore, space and time are pure relations. They mark the order in which bodies and events stand in our intuitions, it is agreed ; but who dares say that they mark *only* this? Of course, if we accept Kant's doctrine, that the form under which the object is perceived is derived from the subject, we must say so, but this is the very point in question. Kant asserts it, makes it the foundation on which his whole edifice rests, but he nowhere demonstrates it. To assert a doctrine, and then to assume it, as the basis of particular demonstrations, while it is itself undemonstrated, is not, we believe, the general practice of good logicians, and though it may be authorized by the Kantian logic, is repugned by the Aristotelian. Moreover, his general doctrine is not susceptible of demonstration. It is in fact suicidal. If we cannot attain to cognition of things themselves, if we can cognize them only as objects, and as objects only under the forms imposed by the understanding, we can know nothing at all. We do always seem to ourselves to perceive the forms of the object as objective, and if in this our understanding deceives us, it forfeits our confidence, cannot be trusted at all. And no more, when, by the Kantian processes, it demonstrates the forms to be subjective, than when, in the apprehension of common sense, it affirms them to be objective.

Then again, Kant assumes, that whatever is necessary, permanent, universal, in the fact of experience, is merely the subject vitally protended. Whence his proof of this? What more limited, mutable, and transitory than this very human *me*? When we come to

treat, in the next division, of the Categories, we trust we shall establish the reverse of Kant's doctrine; namely, that the forms of the thought, inasmuch as they are objectively conceived, must needs be objectively derived, and therefore that space and time mark the *real* order and relations of things themselves, and not merely the order in which they stand in our intuitions. Space, properly speaking, is the order in which bodies stand, the relation they bear to one another in the world of reality, and is the order in which we behold them, because we perceive things themselves, and as they exist *a parte rei*. Time is not merely the order in which events *appear* to us to succeed one another, but the order in which they do actually succeed one another. Does the clock keep time for us only when 'we are awake? Do events stand still when we are unconscious? Does the darkness which conceals bodies from my vision affect their mutual relations? Are there not even animals whose intuitions of space and time coincide with ours? No. When I perceive bodies in space, I perceive them, saving the imperfection of my vision, in their real order and relation; when I perceive events in time, whether in time present, in time past, or in time to come, making the same reserve, I perceive them in the real order of their succession, not as they succeed in my intuitions merely, but as they succeed independently of my intuitions. Any other view than this were fatal to science, by striking at the trustworthiness of our cognitive faculty.

Nor can we accept, without some important qualifications, what Kant and even Cousin say concerning intuitions of space and time, after abstraction is made of their respective contents. They would have us believe that it is possible to conceive of space, even after we have conceived of the absence of all the contents of space, and of time, after having conceived of the absence of all the contents of time. Take away in thought the entire universe, and we may still conceive of space as remaining; take away the whole order of succession, and time is left. But this we deny. For

space and time are neither forms of the sensibility, as Kant maintains, nor are they entities, as Cousin would seem to teach. They are pure relations, and therefore must needs be inconceivable, where there is nothing related. Space is very conceivable *within* the universe, but not out of it; for it marks the order in which its several parts stand to each other; but without the universe it is inconceivable. What is called *imaginary* space is *imaginary*, or rather a mere word, to which there is no conception to respond. We may always ask of some particular thing, *Where* is it? for that merely asks its relation of coëxistence to something else more or less clearly apprehended. But to ask of the universe, as embracing the totality of things, *Where* is it? is absurd; for that asks, What is the relation? where there is nothing related. So of time, we may ask of some particular event, *When* did it occur? for that merely asks its relation, in the order of succession, to some other event, to which we more or less distinctly refer. But to ask of the universe itself, *When* did it begin to exist? or, *When* will it cease to exist? is absurd; for, beside the universe itself, there is nothing between which and it there is the relation we express by the term *when*, or by the term *where*. Beside the universe, there is no existence but God; and the relation of the universe to him is not that of time or space, but of the effect to its cause.

The speculations about infinite time and infinite space, which play so conspicuous a part in some metaphysical systems, are without any foundation in reality. Neither is or can be infinite. They are not real existences, nor are they purely ideal. Our conceptions of them have their foundation in reality. They are not ideal, for they are real relations; they are not entities, because no relation is an entity. Being relations, they are necessarily bounded by the objects between which they are the relations. Leap the bounds of the universe, and you are not out in illimitable space, but out of space, in IMMENSITY, which is the negation of space; or, to speak more strictly, you are in God, whose being and

presence are the bounds of the universe. Pass beyond the limits of all change, of all succession of events, and you are not in time endlessly continued, but in ETERNITY, where time is not, — in God, who is the negation of time, as of space. It is no exalted conception of God to say, that he fills all space, and lives through all time.* He fills immensity, he inhabiteth eternity, and, as we approach him in our thoughts and affections, we rise above time and space, to the Immense and the Eternal. Doubtless, God is virtually present, present by his efficacy, in all space, and through all time; but our true way of regarding him is to regard him as bounding all time and space, as embosoming, so to speak, in his own divine consciousness, all worlds and events, as we embosom in our consciousness our own thoughts and volitions.

But we must pass from the consideration of Transcendental Æsthetics to the second general division, namely, —

II. TRANSCENDENTAL LOGIC.

According to Kant, our cognitions spring from two sources, two distinct fundamental faculties; the first of which, sensibility, as we have seen, furnishes us with intuitions; the second, the understanding (*Verstand*), with conceptions. By sensibility the object is *presented*; by understanding it is *thought* or conceived. The first supplies us with the two transcendental intuitions of space and time, the necessary forms of all our intuitions; for, in relation to every object we behold, we may ask, *Where?* and *When?* Of these we have already treated, denying that space and time are mere forms of the sensibility, without a foundation objectively in reality (*in re*).

The conceptions, or apprehensions (*Begriffe*), are to the understanding, as we have said, very much what the intuitions are to the sensibility. They are, 1. Empirical, 2. *A priori*, 3. Pure, 4. Transcendental. They may

* Vide St. Anselm. *Monologium*, c. 22 and 23.

be defined, the seizing, grasping, apprehending, or taking hold by the mind, of the object presented by intuition. But they seize the object only under certain fixed and definite forms. In other words, in like manner as all our empirical intuitions are subjected to the two forms of space and time, so are all our conceptions subjected to certain invariable laws. No object can be beheld, but under the relations of *where* and *when*. So, none can be conceived, save under certain relations, which are denominated the *forms* of the conceptions. For example, if I conceive of some particular thing, I must conceive of it either as subject or as predicate, as substance or as phenomenon, as a whole or as a part, as one or as many, as simple or as composite, as cause or as effect, &c. These necessary and invariable forms of all our thoughts or conceptions are what Kant, after Aristotle, terms the Categories of the Pure Understanding. They are reducible to four orders, namely, —

1. Quantity ; 2. Quality ; 3. Relation ; 4. Modality.

Each of these orders contains three categories,—in all, twelve. QUANTITY contains, 1. Unity, 2. Multiplicity, 3. Totality ; QUALITY contains, 1. Reality, 2. Negation, 3. Limitation ; RELATION contains, 1. Substance and Accident, 2. Cause and Effect, 3. Community, or reciprocal action of cause and effect ; MODALITY, finally, contains, 1. Possibility and Impossibility, 2. Real and Unreal, 3. Necessary and Contingent.

We cannot go into any particular exposition of the Categories. Their exactness we are not disposed to question ; but it may be asked, if their number cannot be reduced. From the point of view of logic, it strikes us that they may be reduced to two, namely, subject and predicate ; and from the point of view of ontology, to ideal and actual, general and particular, necessary and contingent, being and phenomenon, or, as M. Cousin contends, substance and cause.*

* M. Cousin's critics seem to have misapprehended his reduction of the Kantian categories, in consequence of having taken the re-

But leaving this question, — by the way, a question which has only a remote connection with our present pur-

duction given in his Course of 1828, instead of that given in his Course of 1818. In the Course of 1828, after his acquaintance with Schlegel, he reduces all our fundamental ideas to three, the idea of the infinite, the idea of the finite, and that of the relation of infinite and finite. But in the Course of 1818, reported by one of his disciples, and published with his authority in 1836, he reduces the Kantian categories to two, namely, substance and cause, using the term cause not to designate the force that causes, but the simple action of causing, a use of the word to which we find it difficult to reconcile ourselves. "Cause," he says, "is distinguished from being; being is not action, but resides at the bottom of all actions. Action [according to him, synonymous with cause] is the phenomenon, the quality, the accident, the manifold, the particular, the individual, the relative, the possible, the probable, the contingent, the diverse, the finite; these are all reducible to the single category of cause. Being, as Kant says, the *noumenon*, is the subject, the unity, the absolute, the necessary, the universal, the eternal, the identical, the infinite. We may, then, reduce all the subdivisions to the two fundamental ideas of SUBSTANCE and CAUSE. If it be objected, that under the category of cause there are the two ideas of cause and effect, and under that of substance the two ideas of being and accident; we reply, that the effect always reacts on the cause, and becomes in turn itself a cause, and causality displaying itself on the theatre of phenomena absorbs the accident in the cause. Beside causality, then, there is only substance." — *Cours de Philosophie*, 1818, publié par Adolphe Garnier. Paris: 1836. p. 34.

The assertion, that the effect always reacts on the cause, is not correct. The universe does not react on its Creator; for creation introduces no change in God, who is immutable. The effect, taken strictly, is never a cause in relation to *its* cause, but effect merely; but each effect, however, becomes in turn a cause in relation to its own effects. My acts unquestionably react upon me, but never so far forth as they are purely my acts. But what I call my acts are only partially mine. Other causes beside myself have been engaged in producing them; and it is as effects of those other causes, which give them a certain independence of me, that they react on me. Moreover, nothing seems to us more certain than that cause and effect are irreducible to one and the same category. In our view, the category of cause is identically the category of substance; for our radical conception of substance is, not that it is that which has the power to cause, but that which *is* cause, and it is substance only so far forth as it is cause. Cause is the causer. But that which is not cannot cause; and again, that which does not cause really or virtually is not. Cause, then, is the substance, the being. M. Cousin, then, would have been more correct, and he must pardon us for saying, more faithful to his own philosophy, if, instead of saying the subdivisions of Kant are reducible to the two ideas of substance and cause, he had said they are reducible to the two ideas of cause and effect, or, as we ourselves prefer to say, *being* and *phenomenon*.

pose, — we proceed at once to the principle of the Categories. Whence are they derived? Aristotle had given us the categories of reason, or the necessary forms of every logical proposition. These are the ten predicaments; namely, *Substance, Quantity, Quality, Relation, Where, When, Situation, Habit, Action, Passion*. But Aristotle derives his categories, ontologically, from the object. He holds philosophy to be the science of life, or of things; and his purpose is, to determine what are the forms under which any real being does or can become an object of thought. He therefore derives the categories from the thing, or at least holds them to be founded objectively *in re*, and makes them the necessary forms of the conception, because they are the necessary forms of the thing conceived. Kant, on the contrary, denying the capacity of the human mind to cognize the *noumenon*, and conceding only its capacity to cognize the phenomenon, and, therefore, the object only so far forth as object, not as thing, contends that the categories are derived from the subject, and are the *a priori* forms of the pure understanding, which it imposes on the object conceived. They are the forms under which the object is cognized, not because they are the necessary forms of the object considered as thing existing objectively *in re*, but because they are the necessary forms of the human understanding itself. The principle of the Kantian categories is, therefore, directly the reverse of that of the Aristotelian. Aristotle held that the human mind can attain to a knowledge of things, and therefore to the knowledge of the forms of things. This Kant positively denies.

That we do cognize all objects under the categories which Kant enumerates, or the two to which, after M. Cousin, we may reduce them, is undeniable. That these are the invariable and necessary forms of every cognition, we contend as earnestly as the staunchest Kantian; but this is not the question. The question we raise is, Do we always cognize under the categories, because they are the *a priori* forms of the understanding, or because they are the forms of things themselves?

This is the question, and a question that goes to the truth or falsity, as a system, of the whole Kantian philosophy.

In answer to this question, we begin by remarking that Kant deceives himself, when he supposes that he is really investigating the faculty of intelligence; for that faculty is not only simple, and therefore not susceptible of analysis, but it is, so far as it is any thing positive, the subject itself, indistinguishable, as we have shown in our former article, from the *me*. The investigation of this faculty, then, must needs be the investigation of the subject investigating, and therefore not of the object investigated. What is that which investigates? The intelligent *me*. What is that which is investigated? The intelligent *me*. The *me* is *me*, and always equal to itself. The subject and the object are the same, and absolutely indistinguishable. But if so, the *me* investigating = the *me* investigated, and hence to investigate = to be investigated. That is to say, it is all the same thing to strike, or to be struck! But certainly the object investigated is distinguishable from the subject investigating, by this fact, at least, that it is investigated, while the subject investigates. But the *me* = *me*, according to our postulate, and therefore can in no sense whatever be distinguished from itself. Consequently, the *me* can never be its own object. Consequently, again, it is not the living subjective faculty of intelligence, that Kant is really analyzing.

We are aware that this doctrine is controverted. In these days of wonderful discoveries, it has been discovered, if we may believe our modern psychologists, that we may by the interior light called consciousness observe ourselves, all the same as the external world by our senses; and hence the late Professor Jouffroy wrote an elaborate essay, which one of our friends has translated, to establish a parallel between physical science and psychology, and to prove that the principle and method of each are the same. We ourselves gave into the same notion for a time, and talked largely, if not wisely, about the interior light of consciousness. But M. Leroux,

notwithstanding his many and fatal errors, and the radical unsoundness of his leading doctrines, has triumphantly refuted M. Jouffroy, in his *Réfutation d'Eclecticisme*; and we think we have ourselves done the same over and over again, and especially in our *Essays on Synthetic Philosophy*, contributed some time since to the Democratic Review.

The *me*, doubtless, can study itself; but only in its phenomena, not in itself. Consciousness is not a special faculty, as one would gather from the Scottish school; nor is it an interior light, distinguishable from the light of the senses, as M. Jouffroy teaches, and, we are sorry to say, as M. Cousin himself, though not without some misgivings, also teaches. There is in consciousness no *direct* intuition of the *me*. The *me* finds itself in every conscious act, but only as the subject acting. Thus, I must do somewhat in order to know that I am, and then I know only that I am the doer of that somewhat. Hence, Descartes is obliged to affirm *cogito*, before he can affirm *sum*. *Cogito, ergo sum*; not because he infers *sum* from *cogito*, but because, save in the act *I think*, he could not find the fact *I am*. If I could have direct, immediate intuition of myself, that is, if I could be my own object, I should not be obliged to have recourse to the phenomenon of thinking in order to affirm myself, for I could affirm myself immediately, without the intervention of the phenomenon. But this is not possible.

Kant says, *I am, I think, I judge*, accompanies every synthetic judgment, and in this he is right; but as subject, not as object; for, in order to complete the sense, I must add, I am something (*aliquid*), for instance, actor, doer, lover, thinker, &c., and that I think, I judge something. The *me* can affirm itself only as subject, and therefore can never affirm itself by the pronoun without the verb. Thus, *I am, I think, I judge*, is the subject, the form under which it recognizes itself in the fact of consciousness. Consequently, the object, as the correlative of subject, must be distinguished from it, and therefore be *not me*. The doctrine we are here

insisting upon is by no means so new, so recondite, or so contrary to the general belief, as may at first sight be supposed. Every body, in fact, admits it, though every body may not comprehend it in all its bearings; for every body believes, that, in order to ascertain what are our powers, we must exercise them. I learn that I can think by thinking, that I am capable of love by loving, and of devotion by worshipping. There is not a single faculty or property of my nature that I can know, till it is brought into exercise. All will admit this. Then all do really, whether they know it or not, admit that the *me* can study itself only in the phenomenon. Consequently, it is not, and cannot be, the direct object of its own intuition; and hence Kant very properly teaches that it can have intuition of itself only in the diverse, that is, in the *not me*.

Assuming this, the categories are not, and cannot be, derived from the subject, for they are confessedly forms of the object, and in the fact of perception are objectively perceived. If they are the *a priori* forms of the understanding, they are the *a priori* forms of the subject; for we have before proved that the understanding, as cognitive force, is indistinguishable from the subject itself. If they are the forms of the subject, they are identically the subject; for we have also proved that there is no distinction admissible between the subject and its inneity. In every fact of perception the subject always distinguishes itself from the object. If, then, they are the subject, they must, in every perception, be distinguished from the object, and be recognized, not as pertaining to the object, but as pertaining to the subject. They could not be perceived as forms of the object, but would be perceived as forms of the subject. They would be included in *I am, I think, I judge*. But they are objectively perceived, or, if the term be preferred, objectively *conceived*; for they are the invariable forms under which the object we conceive, whatever it be, is conceived. Therefore they are object, and not subject. For, again, if the *me*, as Kant himself agrees, cannot observe itself as object,

but only indirectly as subject, it follows necessarily, that it cannot observe its forms as object, for its forms are indistinguishable from itself. Just so certain, therefore, as we see objects at all, just so certain is it that the forms under which we see them are object, and not subject.

This is conclusive. But nevertheless some may object to our conclusion what we have already conceded; namely, that the *formal* existence of some objects of knowledge is subjective; for this concedes that the forms of the object may be imposed by the subject. But we must distinguish between *negative* forms and *positive* forms. In the cases we alleged, the conceptions all had their foundation in reality, and were *formally* subjective, but virtually objective. The conception differs as to form from the object, not through the addition of something to the object as existing *in re*, but through inadequacy, owing to the limited nature of our faculties, which is insufficient to take in the whole reality. Thus, we are compelled to regard the divine wisdom and goodness as separate attributes, because our faculties are too limited to grasp them in their identity. In this case, we add nothing to the thing conceived, but fail to conceive all that is in it. This affects the adequacy of our conceptions, but not their validity. This same inadequacy, in a degree, probably, attends all our conceptions of all objects whatever; for the reality is always greater than we conceive. Negatively, then, all conceptions may be formally subjective:

But in regard to the categories, the case is different. They are not the negation of our faculties, nor the limitation of our intellectual activity. They are not the *terminus* of our conceptions of objects, but are assumed to be something positively added by the subject to the object, without which the object could not be conceived. They make up an integral part of the conception, and are conceived, in conceiving the object, as objectively as the object itself. Now the difference between a conception objectively valid, that is, a conception of something which exists objectively *in re*,

but formally limited by the inadequacy of our power to take in the whole thing, and a conception formally *augmented* by the addition of a positive element from the resources of the subject, it strikes us is very great and very obvious. Because a negative form is subjective, that is to say, a form which is merely privative, we are not at liberty to say a positive form, in which there is that not in the object, is also subjective. Consequently, the concession as to negative forms, or inadequate conceptions, does not invalidate the argument.

We resume ; the *me* being always itself, and always equal to itself, and being also always the subject thinking, it can never be the object thought. This establishes at once, saving the inadequacy of the conceptions, the reality of every object of conception, and proves that the object must be, as thing, at least, all that it is as the correlative of subject. Here is the complete refutation of Idealism, or of what we, in our classification of doctrines of science, have termed Intellectualism, — a refutation of both Kant and Berkeley.

Moreover, Kant's proofs of his own doctrine make against him, rather than for him. What is it, in fact, that he establishes? Simply, that every cognition of the particular involves cognition of the general, that every cognition of the phenomenon involves cognition of the *noumenon*, that every cognition of effect involves cognition of cause. But he himself admits that all cognition begins with experience. Whence, then, his proof, or whence, then, any possible proof, that the general, the *noumenon*, the cause, is not itself as much empirically given as the particular, the phenomenon, the effect? By what principle of logic am I to infer, from the fact that in every cognition of the particular there is also cognition of the general, that the general is not empirically given, but furnished *a priori* by the subject?

Kant sustains this inference, apparently so illogical, and really so in our estimation, by an arbitrary and incomplete definition of experience. He restricts experience to the effect, the phenomenon, the particular, the

contingent ; and then, because the cause, the *noumenon*, the general, the necessary, is found in every empirical synthetic judgment, concludes that it is not derived or derivable from experience, but must necessarily lie *a priori* in the understanding. But by what right is experience so restricted ? My sole knowledge of my ability, and of the extent of my ability, to know, is derived from knowing ; so is my sole knowledge of the reach of experience derived from experience. I can measure my ability to experience only by what I find in experience. If, on analyzing experience, I find it to contain universally certain given elements, the legitimate induction is, that these elements are given by experience, and that any definition of experience which excludes them is *primâ facie* defective.

Kant, we have already proved, is, as to doctrines of science, a SENSUALIST ; and as to doctrines of life, so far as he is any thing, he must, therefore, be a MATERIALIST. He restricts all our knowledge to sensible intuitions, and sensible intuitions to objects which do or may affect the senses. We are aware that this is not the common opinion. His admirers would have us believe that he has triumphantly refuted the sensualism of Locke and Condillac, and that he is a stanch spiritualist ; but we are unable to conceive how any man can read his *Critic* with the least understanding, and not perceive that he restricts all experience, *minus* the subject experiencing, to objects of sensible intuition ; that is, to such objects as are capable of furnishing us with sensations, which is all that Locke or even Condillac does. If this does not make a man a sensualist and a materialist, in case he admit the objective reality of the intuitions, words have lost their meaning, and the sooner we get a new dictionary the better. Taking experience in this restricted sense, Kant's conclusion is of course undeniable ; but he has no right to take it in this restricted sense, because in this sense, as he himself shows, it does not contain all that we find in experience.

Kant's great problem, How are synthetic judgments

a priori formed? becomes important, nay, a problem at all, only in consequence of this arbitrary and unwarrantable definition of experience, and the false view which it compels him to take of reality. In every synthetic judgment *a priori*, he contends, there is an element added not contained in the objects of experience. In any given fact of experience, the *noumenon* is joined to the phenomenon, the general to the particular, the cause to the effect. But experience attains only to the effect. How, then, do I, in my judgment, become able to add to it the conception of cause, and especially of necessary cause? Experience attains only to the phenomenon; but, in my judgment, I add to the phenomenon the conception of the *noumenon*. How is this done? Whence do I obtain this *noumenon*, which lies wholly out of the range of all possible experience, and become able to join to the empirical subject a predicate not contained in it? This is the problem. But in all this it is assumed that experience attains only to the effect, the phenomenon, and that the element joined in the synthesis to the empirical object is not contained in the object; that is, that the cause is not in the effect, the *noumenon* in the phenomenon, the general in the particular.

This assumption is also made by Hume, for Kant and Hume both agree as to the nature and reach of experience. With both, empiricism and sensualism are synonymous. Neither admits the capacity of the soul to have experience of intelligible objects (νοήματα), but both confine it strictly to sensible objects (αἰσθητά and φαντάσματα). And why? Because they make a prior assumption, that, ontologically considered, the intelligible world lies wholly out of the region of the sensible world, that the *noumenon*, as Kant terms it, that is, the being (*esse*), is not in the phenomenon, the cause is disjoined from the effect. For, if the *noumenon*, ontologically considered, were in the phenomenon, the cause in the effect, inseparably united, there would be no more difficulty in conceiving that the former should be really experienced than there is that the latter should

be. The two being ontologically inseparable, we ought, in case we have intuition of things as they exist in reality, to perceive them, and to conceive them, always as inseparably united, precisely as we do.

But Hume, assuming the two categories, the category of cause and that of effect, to be disjoined objectively, was extremely puzzled to ascertain how it happens that they are always strictly united in the conception, that is, subjectively. He finally resolved the problem by recourse to habit or association, contracted from having frequently observed that certain things uniformly accompany certain other things, in the order of antecedence and consequence. Kant detects and shows the inadequacy of this solution, and attempts a new one; namely, that the conception of the category of cause is purely subjective, lying *a priori* in the understanding, and is by it added in the synthetic judgment to the category of effect. But this removes no real difficulty; for the real difficulty was not so much how this synthesis is formed, as what is its validity when formed. On Kant's hypothesis, it has no validity, because there is nothing in reality to correspond to it; it is a conception without an object, and therefore void. Hence, as to the reality of science, it leaves us precisely where we were left by Hume. It refutes Hume's solution of the problem, but it confirms Hume's skepticism.

Assuming Kant's hypothesis, it does not advance our science at all. For to say, that in synthetic judgments we add the category of cause, is only saying, in other words, that in every cognition we always couple the conception of cause with that of effect, which was the fact to be explained. All admit the fact. The question is, The reason of the fact, and its value? The truth is, the fact itself is inexplicable from the purely psychological point of view, and nothing better proves it than the abortive attempts of Hume and Kant, both men of the highest order of metaphysical genius, and either of whom would have explained it, had it been explicable by the method adopted. We have said more than once, that science, or knowing, is inexplicable

psychologically. Every psychologist inevitably, if he push his principles to their last conclusions, ends in skepticism. This lies in the nature of things, because *science is not a purely psychological fact*. There is no seeing where nothing is *seen*, no knowing where nothing is *known*. To explain the fact of science, what Kant calls a synthetic judgment *a priori*, we must have a doctrine of life; for we see things so and so, because they exist so and so *a parte rei*. Thus the two categories are connected in the thought, because they are so connected ontologically, and because we see things, so far as we see them at all, as they really exist.

A true doctrine of life, or ontology, will show us that the *noumenon* is in the phenomenon, the cause in the effect, the general in the particular, the necessary in the contingent; and therefore we see or detect, more or less obscurely, no doubt, the first category in the second. God is the Creator, the Cause, of the world; but is present with it, for he is declared to be present with all his works, for it is only in him that they are, and are sustained. And hence it is that we may *find* him in his works, as says St. Paul, "*Invisibilia Dei, per ea quæ facta sunt, intellecta, conspiciuntur; sempiterna quoque ejus virtus, et divinitas.*" — Rom. i. 20. Were it not so, the argument *a posteriori* could in no case be valid, and the cause would in no sense be revealed by the effect. Nay, the cause would never be worth seeking for, for it would be to us nothing but an empty name.

We must, however, in asserting that each category is an object of experience, that is to say, objectively and empirically derived, beware of the error of the mystics and exclusive spiritualists, who will have it that we can attain to the intelligible world immediately, that we can rise to cognition of cause without the medium of the effect. Humanity, in relation to individuals, belongs to the first of the two categories to which we have reduced the subdivisions of Kant. But humanity, abstracted from individual men and women, who participate of it and reveal it, is incognizable, is no object

of knowledge. God is cognoscible, but, in the present life, only as revealed in his works, that is, his works of creation, providence, and grace. The beatified will see God face to face as he is, as says St. Paul, "*Videmus nunc per speculum in ænigmate; tunc autem facie ad faciem*"; for "we know that when he shall appear, we shall be like to him, because we shall see him as he is," as says St. John. But, at present, it is only darkly we see him, only in part that we know him, through the medium of the effect; not till we are glorified, shall we be able to have the beatific vision of cause in itself, and then only by a supernatural light.

The doctrine of the reality of ideas, of the true, the beautiful, and the good, is a true doctrine; and that we have real experience of ideas, objectively, as much so as of sensible objects, is, we hold, an unquestionable fact; but it is only in the category of the phenomenon, of the effect, the particular, the contingent, that we cognize them. But as the ideal is always in the actual, so in the intuition of the actual we have intuition of the ideal. Hence it is, that, in the cognition of effect, I have always the conception of cause. Consequently, the element which Kant assumes to lie out of the fact of experience, and to be added *a priori* in the synthesis, does not lie out of the fact of experience, and is, in fact, not a synthetic judgment, but an analytic judgment, or, if synthetic, it is synthetic *a posteriori*. Consequently, there are no synthetic judgments *a priori*; and Kant's problem, How are synthetic judgments *a priori* formed? ceases to be a problem. The question he raises, he raises in consequence of a misapprehension; and he never could have asked it, if he had had a doctrine of life, for it has no foundation in ontology.

We have said, that, admitting Kant's doctrine, no progress is made in explaining the fact of science. What, after all, is disclosed by his labors, that gives us either a more or a less solid ground of certainty? We know by the representation of objects *plus* what we ourselves add to it. We add the forms of the intuition,

the forms of the conception, and the synthetic judgment *a priori*, by which we unite the intuition and conception into a cognition, and this cognition to *I am*, so that it is not only cognition, but *my* cognition. What says all this beyond simply saying, *I know*? And when it is said, I am capable, by means of sensibility and understanding, of intuitions and conceptions *a priori* and transcendental, and, by means of these, of cognition *a posteriori*, what is said beyond the simple fact, that I am intelligent? Who says, *I know*, says, to say the least, all that Kant has said; and who says, *I am intelligent*, says all that can be said in explanation of the fact of intelligence from the point of view of psychology. No analysis can reduce *I know* to a lower denomination, or resolve it into separate elements. They, who explain or undertake to explain vision by talking of the rays of light falling on the retina and painting thereon the image or picture of the object, add nothing to our knowledge of the visual faculty itself, and aid us not at all in solving the real mystery of vision. They merely explain, granting them all they allege,—much of which we hold to be very questionable,—some of the external conditions under which the fact of vision usually takes place. No anatomizing of the eye brings us in the least nearer to the visual force. It is just as difficult to explain how the mind sees the image reflected on the retina, as it would be to explain how it could see the object itself without the intervention of the image. The insertion of the *species*, or the *representation*, between the object and the understanding explains nothing. How is the representation itself cognized? If the intuition be not cognition, how will you make it cognition? In all our investigations we assume that we know. This, to say the least, is an inevitable necessity. The only questions for us, then, are, What do we know? and, How can we know more than we do?

If we would go further, and ask, How do we know? or, Why do we know under this or that form? we must go to ontology, to things themselves. I see things

because they are ; and under this or that form, because they so exist objectively *in re*. If I perceive the particular only in the general, and the general only in the particular, it is because, though distinct, they are inseparable, in the constitution of things. Rise to the comprehension of the Platonic ontology, especially to Christian theology, and the whole matter becomes plain enough. Below that elevation it is necessarily inexplicable.

More we intended to add, more we shall add, when we come to treat of the doctrines of life, or philosophy properly so called ; but we have reached our limits, and are tired of the task of laboring to refute an author who is always able, always profound, but always wrong in his fundamental principles. We have labored in review of Kant till we are tired of him, and we have no doubt that our readers will readily allow us to dismiss him. We have aimed to comprehend his doctrine, aimed to set it forth correctly, and to meet it fairly. If we have done him any injustice, it has been unintentional. We took up his work with a profound reverence for it. We had been accustomed, by those whose opinions we most valued, to look upon Kant as the great metaphysician of modern times ; we expected much ; we have found — nothing. There may be depths in the *Critic* we have not sounded, diamonds that we have not discovered ; but we have sounded to the length of our line, and we have searched diligently for the gems which might be concealed at the bottom ; but, alas ! we have found nothing but bald atheism, and cold and heartless skepticism, erected into a system bearing all the imposing forms of science. We have labored to refute its fundamental principles, because we believe them adopted by large numbers who have never read Kant himself, and because we would do what we can to atone for our own former philosophical and theological errors, and aid as we can in recalling the age to a religious philosophy, in consonance with the profound mysteries of the Christian faith. We hope we have not labored in vain.

- ART. II. — 1. *Charles Fourier, sa Vie et sa Théorie.*
Par Ch. Pellarin, Docteur en Médecine. Paris : à
 Librairie de l'Ecole Sociétaire. 1843. 2d ed. 12mo.
 pp. 556.
2. *The Phalanx ; Organ of the Doctrine of Association.* Semi-monthly. New-York. Vol. I. Nos. 14
 and 15.

THE remarks we made, incidentally and for the purpose of illustrating an argument, in our number for July, on the moral and religious bearings of some of the leading dogmata of the Fourierists, seem to have given some offence to the American Associationists ; and their organ, *The Phalanx*, in its 14th and 15th numbers, replies to them with considerable spirit and severity. It treats us personally with very little respect, accuses us of gross, almost culpable, ignorance ; calls us superficial, stupid, arrogant, self-conceited ; and asserts that we have wholly misapprehended and misrepresented the principles of the new Fourier religion. What relates to us personally in the reply of *The Phalanx* we shall pass over unnoticed, (save so far as to tell its editor, that his statement, that Mr. Brownson was formerly a *blacksmith*, is not true,) for it is Fourierism, and not we, that is on trial, and it is not good logic to conclude from our personal character to the truth or falsity of Fourier's doctrines. But to the charge of having misrepresented Fourierism, we feel bound, in justice to ourselves and our readers, to offer a reply.

It was far from our purpose in the remarks we made, as was apparent on their very face, to enter into any general exposition of Fourierism, or special discussion of its truth or falsity. We referred to Fourierism only incidentally, and for the sole purpose of illustrating certain points in an argument we were conducting. Yet, we own, that, in alluding to it, and setting forth some few of its principles, we were bound to set forth these principles fairly ; and, if we misstated, misrepresented, or in any way falsified them, we were inexcusa-

ble. We have read over the "notes" *The Phalanx* has appended to our remarks, with the care and attention they deserve. We hoped to discover from them that we were mistaken in our estimate of Fourierism, for it affords us no pleasure to see any portion of our brethren advocating immoral and infidel doctrines; but we are obliged to confess that we cannot perceive that they convict us of having done the Fourierists any injustice, and the charges we brought, instead of being removed, have, we are sorry to say, been confirmed.

The charges we brought against Fourierism were substantially three; 1. It is repugnant to Christianity; 2. It supersedes the necessity of the Church; 3. Even admitting its speculative truth, it is impotent to effect the social ameliorations it promises. These, no doubt, are serious charges, and, if they can be sustained, or any one of them, Fourierism is not only unworthy of our support, but deserving of our decided opposition. Are these charges well founded? or are they false, growing, as *The Phalanx* pretends, out of the ignorance or malice of him who prefers them? This is the question before us, and which we propose to discuss at some little length, and with sufficient thoroughness to satisfy our Fourierists that the charges were not made inconsiderately, nor on slight grounds.

Before proceeding to this discussion, a word must be said as to the *criterion* by which we are to determine what is or is not Christianity. That the Fourierists very generally in public, and some of them in private, profess to be Christians, and that many of them may even believe themselves to be Christians, and really are Christians, according to their reading of Christianity, we have never denied, but frankly admitted, in the article which has given the offence. But this is not the question. The real question is, Are the Fourier dogmata repugnant or not to Christian dogmata? In asking this question, we of course assume that Christianity is something certain and fixed, not vague and fluctuating, varying with each individual interpreter. We do not propose our own private interpretations, and ask that they be

accepted as Christianity, nor do we accept as Christianity the private interpretations of others. It is idle to talk about Christian truth at all, unless there be a common standard, a fixed and invariable standard, to which all are bound to conform, on pain of losing their right to the Christian name. This standard is the word of God, as preserved and interpreted by the Church. The Church is the only authorized interpreter of Christian truth; and to know what really are the Christian dogmata, we must consult her symbols, the decrees of councils, and the writings of the Fathers and accredited doctors. This is the only practicable rule. Any other rule would oblige us to accept the vagaries of every enthusiast, visionary, or ignorant speculator, however repugnant to truth and morals, as the revealed word of God.

Is Fourierism, in its leading principles, — not in its merely practical arrangements, concerning which we have as yet instituted no inquiry, — repugnant to Christianity, as authoritatively interpreted by the Church? We say that it is. In proof of this, we have said, addressing the Fourierists, —

“Your very starting point is at the opposite pole from Christianity, and your method [of reform] is the very opposite of that enjoined by the ever-blessed Son of God. You assume the perfection of human nature, the essential holiness of all man’s instincts, passions, and tendencies, and contend that the evil in the world comes from causes extraneous to man; from causes which restrain, repress, his natural instincts and passions, and hinder their free, full, and harmonious development. This is your starting point. Christianity, all the world knows, teaches that evil comes from within, from man’s abuse of the freedom essential to his being as man, and that, in consequence of this abuse, man’s *nature* has become exceedingly disordered, his appetites and affections depraved, his moral tastes vitiated, so that he craves and relishes the meat that perisheth, rather than the meat that endureth unto everlasting life.”

Assuming this statement of the view which the Christian religion takes of human nature, the origin of evil, and its effects on the moral nature of the sinner, to be correct, and assuming also our assertion with regard to Fourierism to be warranted by the facts in

the case, the repugnance of Fourierism to Christianity on this capital point is too obvious to be mistaken. *The Phalanx* concedes the correctness of the statement, so far as it concerns the doctrines of Christianity ; but distinguishes in regard to the statement of what the Fourierists teach. It admits that Fourierism teaches the *original* perfection of human nature, and the essential holiness of all the instincts, passions, &c. ; but contends that by the Fall this perfection and this holiness were lost, "so that man now is corrupt in nearly all his ways and his thoughts," which, it contends, conforms to the Christian doctrine. Therefore there is no discrepancy between Fourierism and Christianity.

But we deny the right of the Fourierists, on their own principles, to make this distinction. We say that they assert the essential holiness of the instincts and of human nature, even as surviving the Fall; and that the corruption which they admit is not a corruption of man's nature, does not affect the sources of human activity, the springs of action, but is merely the effect of the medium in which man acts, and the external direction and application of his activity. In proof, we quote *The Phalanx* itself. "What, then," it asks, (p. 109,) "do we mean by the essential perfection of man's instincts, &c. &c. ? Why, we mean that the same essential passions, which, misdirected and misapplied, lead only to evil, would, if rightly directed, lead to good." If this means any thing beyond a mere truism, it must mean that the instincts and passions are in themselves pure, and not at all, as such, affected by the Fall ; for otherwise the evil would attach to them, and not merely to their direction and application.

Mr. Godwin, who is the writer of the reply to us in *The Phalanx*, says, in his *Popular View of the Doctrines of Charles Fourier*, (p. 42,) "Now Fourier promises to man a social system, in which order will be produced by the free action of the passions. But let no one be so silly as to conclude from this, that we ask men to abandon themselves to their inclinations *in the actual state of society*. Constraint is indispensable in a *false*

medium ; liberty is foreign to it, and engenders, when fully indulged, only disorder and confusion." Here is no condemnation of the inclinations ; but simply of the *actual condition of society*, as a false medium. Correct the medium, reorganize the social state, and then the abandonment to our inclinations would be lawful ; which supposes the inclinations themselves to be incorrupt and legitimate.

Mr. Brisbane, the great apostle of the Fourier religion in this country, who enjoyed the advantage of the personal instructions of Fourier, and to whose exertions, more than to those of any other one man, the doctrine owes its popularity among us, may be quoted to the same effect.

"Moralists, philosophers, and legislators, seeing the passions perverted by a false order of things, and shocked at the discords and enormities which they engender in their deranged and perverted action, have supposed that *the evil was in man*, not in the social organization. . . . Instead of condemning the passions, — the most perfect work of the Divinity on this earth, — we should condemn our false societies and legislators. But philosophers and legislators have had more confidence in their work than in God's ; and, instead of blaming their social laws and institutions, they have heaped upon MAN the dark load of injustice, vice, and degradation, which should rest alone on their false theories and doctrines. The condemnation of man has gone on from age to age, until he has become degraded in his own eyes, and the doctrine of *the depravity of human nature* has become firmly established. This *blasphemous doctrine*, this *practical atheism*, is the foundation on which all past and present societies have been and are based ; and we see in their disastrous and odious results a true picture of their outrageous foundation, insulting alike to the Divinity and to the dignity of man." — *Boston Quarterly Review*, Vol. IV. pp. 495 — 497.

This would seem to be conclusive. Dr. Pellarin, in the work quoted at the head of this article, — a work written by one of the early disciples of Fourier, one of his ardent friends and admirers, who lived for years in personal intercourse and intimacy with him, and which is published by the assent and with the authorization of the Fourier or Societary School in Paris, and therefore

worthy to be quoted as a Fourier confession of faith, — is more conclusive yet.

“If we rise to this conception, a truly religious one, that all the manifestations of the faculties of human nature were designed by its Author for a useful employment, that nothing *exists* in him, in his passional no less than in his intellectual constitution, or physical organization, which is not called to contribute to social harmony, to the good of the collective mass, and of the individual; if we seek a form of society which shall call forth the *free exercise* of all these faculties, which shall employ advantageously all the *passional* forces of which the human heart is the focus, we shall do precisely what Fourier has done. Making no account of the *prejudices* which condemn such or such a manifestation of human nature, as soon as observation had revealed to him a passional force, he sought to discover the social use which could be made of it, and finally succeeded in demonstrating that there is really not a single passion of which a social use may not be made, and, consequently, that there is not one which is fatally doomed to produce evil, disorder, here below.

“It is in these conditions, apparently so rash, and which at first sight seem to indicate only a madman, that the author of the Theory of Association has always placed and maintained himself for the construction of the whole of his vast system.

“Thus, then, the excellence of human nature, such as God made it, the acceptance of all the inclinations (*penchants*) which it bears with it, — here is Fourier’s point of departure, his primitive fundamental *datum*. Hence he is led to interdict all *restraint* as a legitimate means of acting on men. It is only by *attraction*, by *charm*, that he obliges them to accomplish their task in society, but in a society organized differently from ours, in which duty is almost always painful, and the practice of goodness little else than *self-sacrifice*.

“The words of Jean Paul, which I have cited at the head of the biography of Fourier, ‘He cut no one of the fibres which vibrate in the human soul, but attuned them all,’ — these words apply admirably to Fourier, and can wholly apply only to him. It would be impossible to characterize the phalansterian philosophy better than by these words. Here, in fact, is our fundamental dogma, a dogma which is admitted only with restrictions, more or less numerous, and all very inconsequent, by the other philosophical schools which engage the attention of man and society. *In admitting the goodness of the nature of man, and the holiness of all the inclinations*

which God has placed in his heart, and which nothing but false social combinations can convert into vices, (for is not our civilization like those Harpies which befouled and changed into impurities whatever they touched?) — in admitting, I say, these bases, we are led by the irresistible force of logic to adopt the views which the disciples of Fourier profess on social conditions. This first point conceded, we are, unless we show ourselves illogical, phalansterians, completely phalansterian. Let us, on the contrary, question the native excellence of man, we forthwith fall into systems of repression and constraint, in which every liberal view is an exception, in fact, an inconsequence; and we cease from that moment to be really phalansterians, whatever parts of the system we may in other respects adopt." — *Charles Fourier, sa Vie et Théorie*, pp. 311 — 314.

What can be more to the point? The goodness, the excellence, the perfection, as we said, of human nature, and the holiness of all its inclinations, passions, or tendencies, are here expressly affirmed, made the point of departure, the fundamental dogma of the phalansterian school, — so essential, that he who accepts this dogma is a phalansterian completely, and that he who calls it in question is not and cannot be a phalansterian.

Let it not be said that this applies only to man in his state of primitive justice and sanctity, before transgression; for so to restrict it would be to make sheer nonsense of Fourierism, or at least to reduce very considerably the novelty of Fourier's boasted discovery. All, who know any thing of Fourierism at all, know perfectly well that it affirms this of human nature as it now is, if taken for what it is in itself. Human nature, according to it, has lost nothing, has undergone no change, suffered no essential modification, by the Fall; and requires no change, no renewal, no intrinsic succour, to recover from the effects of the Fall. Does not Mr. Brisbane deny the depravity of human nature? Does not Mr. Godwin attribute the evil solely to the "false medium" in which it acts? Does not even *The Phalanx* assert the purity and sanctity of the springs of action, and confine the wrong solely to the external direction and application of the action? But let us hear a poet, M. Auguste Demesmay, whom Fourier loved:

"Cesse donc, à la fin, une entreprise vaine ;
 Changer le cœur humain ! Tu mourrais à la peine.
 DIEU fit les passions, il les faut accepter.
 Leur essor comprimé dut les rendre fatales ;
 Trop semblables alors à ces fortes cavales
 Qu'on peut guider, — mais non dompter."

According to Dr. Pellarin, it is not possible to corrupt the passions. All that can be done is simply to modify the form under which they are manifested. Human nature is to-day what it always was, for nature is the same at all times and places ; and we have now, even to-day, only to descend to the bottom of the heart, to learn the will of God, and what is suitable to man.

"We may," he says, "it is true, by the aid of education, give a certain direction to ideas ; we may inspire such or such a *mode* of seeing on certain points, and consequently modify the form under which PASSION, that great and universal motive power of the human being, shall manifest itself ; but to prevent it from being born in the human heart, to stifle it, is impossible. In vain do we attempt to force a passion from following its natural tendencies, to compel it to renounce the end which has been assigned it, or to make it deviate from the end originally imposed upon it by the hand of God himself. Do what we may, it will not cease to aspire *always* to it ; and indirectly and circuitously, whenever it cannot do so directly." — *Ib.* pp. 307, 308.

And again he says, —

"In this alternative between nature, ONE at all times and places, like the thought of God, of which it is the expression, — in this alternative between nature, *always perfectly consequent* in the attractions which it impresses on living beings, and the incoherent principles of society, contradictory one to another, and all more or less wretched, we do not hesitate to decide in favor of nature ; from it alone we take our own compass, and from it alone we demand the *criterion* of social things, — much surer, much more constant, than all the variable rules, created, according to the necessities of circumstances, to serve as stays to the diverse societies which we see sharing the earth among them, and no one of which societies is entirely in harmony with the natural inclinations of our race. *To ascertain what is suitable to man, we have only to descend to the bottom of our heart, learn what it demands, and accept that interior voice as a holy revelation, a divine appeal to our true and legitimate destiny.*" — *Ib.* pp. 318, 319.

This is sufficient to establish our first proposition, that the Fourierists assume, as their point of departure, the perfection of human nature, and the essential holiness of all its passions, instincts, and tendencies, and not only as it was before the Fall, but as it now is. But Christianity denies this, and asserts that man by sin lost the justice and sanctity (*justitiam et sanctitatem*) in which he was originally constituted. Therefore the doctrine of the Fourierists is repugnant to Christianity.

But *The Phalanx* asserts that the Fourier school admits the Fall. We reply, that it does not admit it *in the Christian sense*, and, properly speaking, in no sense at all. The Fall, according to the Fourierists, is not a fall; for it is the passage from the first social state to the second, in the *ascending* scale. They recognize in the life of Humanity seven phases, corresponding to the seven phases of individual life; namely, Birth, Infancy, Youth, Maturity, Decline, Decrepitude, and Death. Maturity is the Apogee, or Plenitude; Birth, Infancy, and Youth belong to the *ascending* scale; Decline, Decrepitude, and Death, to the *descending* scale. Edenism, or the social state which obtained before the Fall, and of which, according to Fourier, some vestiges lately remained among the South Sea Islanders, corresponds to Infancy; and the Fall is the passage from this to savagism, which corresponds to Youth, and elevates the race one degree nearer the Apogee, or Plenitude, and therefore is a rise, not a fall.

"The first period [Edenism]," says Mr. Godwin, and he reports Fourier's doctrine correctly, "has a limit, since it is necessary that man should acquire power and force. When milk ceases to be agreeable to the child, when its growing wants demand a more substantial nourishment, a painful crisis, DENTITION, or Teething, furnishes it with *instruments* for grinding and assimilating the stronger kinds of food. *In the same way*, the creation of the instruments of power and force is a painful crisis for humanity; for the production of science, art, and industry is effected during those incoherent periods which can produce neither happiness nor harmony, since their mission is to create that industry and those sciences which are the means and materials of harmony.

"Many natural causes brought about the rupture of the first society, the principal of which was the increase of population, which gradually reduced the primitive abundance, and changed it into scarcity. So soon as this was felt, the harmonious tie was broken, the feeling of individual selfishness began to control men, and the Primitive Association was dissolved!

"Here we have the great social fact which Moses has impressed upon his *Septuagint*. *Eve*, the Will of Man, corrupted by the Serpent, an emblem of cunning, cupidity, and selfishness, seduces *Adam*, the Universal Man. The *tree*, covered with fruits, symbol of material wealth, is the determining cause, and the serpent the potential cause, of evil.

"The tree, which was the source of life [death?], was also the source of good and evil. It was only by eating of its fruits, that man lost his primitive ignorance [innocence?], and that he will begin, through a life of sorrows, to learn, to know, to discover. After the Fall, *Adam*, the Universal Man, driven from Paradise, was deprived of the blessings of the first society, the elements of which are dissolved at his death. The death of *Adam*, the Universal Man, is the dissolution of the primitive humanitarian unity, and different peoples cover the earth under the name of his children. Humanity is no longer one man, but many men. *Adam* is condemned to *earn his bread by the sweat of his brow*, until the time of his social redemption, when the serpent's head will be bruised by the annihilation of selfishness. The seed of the Woman, or volitive faculty of Man, restored to its true *passional* destiny, will bruise the head of the serpent under its feet." — *Popular View of the Doctrines of Charles Fourier*, p. 36.

From this it appears that the Fall of man was the Dentition or Teething of humanity. The theologians, who have mourned over the Fall, and lamented the loss of Eden as a curse, have been as unreasonable and foolish as the mother who should weep to find her child cutting its teeth. One does get some new notions by studying in the school of Fourier, it must be confessed. But the Fourierists are very inconsistent in calling this transition a curse, for it is no more to be regretted than the passage from helpless infancy to lusty youth, and was absolutely necessary, if man was ever to attain to power and force. But how repugnant all this is to the Christian doctrine of the Fall, of the primitive disobedience which brought death into our world, and all our

woe, it needs not to say ; nor is it hardly worth our while, to point out the utter incompatibility of this interpretation of the Mosaic narrative with the authorized doctrines of the Church. Yet we cannot forbear remarking, that it is something new to make the tree of the knowledge of good and evil the same with the tree of life. We had supposed the tree of life, which grew in the garden, to be another tree than that whose fruit was forbidden ; nor had we gathered from the Mosaic account, that the forbidden tree was the *source* of good as well as evil, and that the redemption was to come through the very agency that caused our ruin. Eve, unhappy mother of us all, disappears, resolved into the will of man ; and so man's will was made out of one of his ribs, and he himself was seduced by his will. As if, aside from his will, after his will was corrupted, there was any man to be seduced ! The seed of the woman, which all the Fathers agreed in holding to be the Incarnate Word, born of the Blessed Virgin, is man's volitive faculty, and the volitive faculty is therefore the seed or progeny of man's will ; which implies that the will precedes the faculty or power to will. Redemption is not to come through Christ, but through man's own volitive faculty ; and yet Fourierism is identical with Christianity ! Mr. Godwin's, or rather Fourier's, interpretation of this passage of sacred history makes God lie, and the serpent tell the truth. It presupposes that the serpent told the truth, when he said, "Ye shall not surely die, but be as gods, knowing good and evil" ; for it affirms, that, by eating the forbidden fruit, man got rid of his primitive ignorance, and began to learn, to know, to discover. We had supposed the serpent lied, and that the eyes of our first parents were opened only to behold their own shame, and that they lost no little of their primitive understanding of divine things, and that it was in bitter irony, that the Lord God said, "Behold, the man has become as one of us." This interpretation also, since it makes good and evil come from the same source, and since it makes material wealth the fruit which brought the evil, makes material

wealth, the goods of this world, the redeemer and saviour of men. Yet, in declaring Fourierism repugnant to Christianity, we only showed our ignorance of its very elements ! Is it not rather they who affirm the Christian character of Fourierism, who are ignorant of the very elements of the Christian religion ? But be this as it may, this account of the Fall proves, that the Fourierists, unless they deceive themselves, do not deal fairly with us, when they profess to believe in the Fall of man, for they understand by the Fall of man quite another thing from what Christians do.

We dwell long on this first point, because it is fundamental. Fourierism, as Dr. Pellarin has well seen, must stand or fall with the doctrine of the perfection of man's nature, and the sanctity of all human inclinations. For, if human nature were depraved, and the sources of human activity corrupted, it would be absurd to seek a state of society which should conform in all respects to man's nature, and give free action to all his passions. But this is what Fourier attempts. Human nature being given, such as it is, his problem is, to find a social order which shall be in all respects adapted to it. Nothing in man is to be changed or modified. What appears to us to be evil, and what actually produces evil, is good in itself, and would produce good, could it only go straight to the end it seeks. Thus, in enumerating the *seven* rights of man, he reckons the right to steal as one, and makes it a reproach to existing society, that it does not provide for the enjoyment of this right, but seeks to repress the thievish propensity. The propensity exists ; therefore it was implanted in man by the Creator ; therefore, inasmuch as the Creator is good and perfect, it is good, and if society were what it should be, it would be turned to a good account. So, also, of the disposition to intrigue, to cabal, to lie, to cheat, &c. It is given us by the Creator, and, like all the Creator's works, is good, and given for a useful purpose, and would serve a useful purpose, were it not for our subversive social institutions. Whatever Christians look upon as evil in man, as the corruption of nature, mak-

ing us by nature children of wrath, and which they seek, by divine grace, by religious discipline, and pious exercises, to subdue or to eradicate, he accepts as good and holy, and only seeks to find it employment.

This is Fourierism. Human nature is right, all is right, but the medium in which man acts. Now what is to be done? We are to find and adopt a social order which shall employ harmoniously all the passions, as well those now termed evil, as those now termed good. What is our guide in finding this order? *ATTRACTION.* Every passion, desire, or whatever you choose to call it, tends naturally, or is naturally drawn, to the end which was assigned it by the Creator. This is attraction, and is in each proportional to destiny. The discovery of this law is the great boast of Fourier. *ATTRACTIONS PROPORTIONAL TO DESTINIES*, — this, according to him is the law of the universe. All beings are attracted in the exact proportion of their destiny in social harmony. Now, study man, ascertain for what he has an affinity, or to what he is naturally attracted, and you know what is the end for which he was made. Proceed now to organize society, so that each may, in all respects, go to the end for which he has an affinity, or to which he is attracted, and you have a perfect state of society, that very social order, which God, in making man as he has, has himself decreed. All this evidently assumes the perfection of human nature, and the sanctity of the inclinations, and that it is impossible that man should crave what he ought not to have, and what God has not designed he should have. It is evident, then, that the perfection of human nature is fundamental in Fourier's doctrine; that he builds all on the assumption of this perfection. We may therefore conclude that we were right in the first instance of discrepancy we adduced between Fourierism and Christianity.

2. We asserted, that Fourierists contend "that the evil in the world comes from causes extraneous to man; from causes which restrain, repress, his natural instincts and passions, and hinder their free, full, and

harmonious development." *The Phalanx* makes a feeble attempt to deny this, and asserts, adopting our own words, that the evil comes, as Christianity teaches, "from man's abuse of the freedom essential to his being as man." We think *The Phalanx* mistaken in this assertion; for, on Fourier principles, allowing these principles to be consistent with each other, it is impossible, in the nature of things, that it should come from within, from man's abuse of his freedom. The passions, according to Fourier, cover the whole voluntary activity of man, and these, we have seen, are always holy and legitimate, at least in their source, that is, in man, though they may be evil at the other extremity. But man can abuse his freedom only by a wrong voluntary act, that is to say, by willing what he ought not to will. The abuse is in the willing what is wrong. It is the active, that is, according to Fourier, the *passional*, nature that wills. But how is it possible for an activity, or a passional nature, that is holy, without ceasing to be holy, to will that which is wrong?

Will, taken entitatively, or ontologically, is, if we understand Fourier's philosophy, not distinguishable from passion. Taken phenomenally, it is merely the effort to which the soul is determined by the passions. In the first case, it is passion; in the second, it is the effect of passion, or passion rendering itself effective. In either case, if we assume the invariable rectitude of passion, we must also assume the invariable rectitude of will. The will, then, is always right. The will and liberty are identical; or, at least, will differs from liberty only in this, that liberty is will *in potentiâ*, while will is liberty *in actû*. Evidently, then, where there is no abuse of will, that is, no wrong willing, there can be no abuse of liberty. But there is no wrong willing, as before proved. Therefore, there is no abuse of liberty, or freedom. Consequently, the evil in the world does not come from man's abuse of his freedom.

Once more. What is Fourier's boasted discovery? "Attractions proportional to destinies." Newton discovered this law in the material world; Fourier has

discovered it in the moral world; and as Newton calculated its effects in physical science, so has Fourier calculated its effects in social and industrial science. This law is the same in all worlds, otherwise the universe would have no unitary principle. On this, Fourier, in his great work published in 1822, in which he develops his science, insists *ad nauseam*. If this law be the same in all worlds, then it must operate in the moral world precisely as in the physical world. Then man must be attracted to his destiny in the same manner as a body is attracted to the earth's centre. It is as impossible, then, for man to abuse his liberty, to withdraw himself from his destiny, as it is for the falling body to arrest its descent and begin to reascend. He must needs go straight to his end, unless turned aside by some force acting from without, which overpowers the force acting from within. There can no evil originate, then, from man himself, unless we assume, what the Fourierists must deny, that it is evil to fulfil our destiny.

We are not ignorant that Fourier alleges, in opposition to this conclusion, what he terms *duplicity of action*, or duality of movement, of which, he says, every being in the universe is susceptible; but we do not choose to be the dupe of mere words. According to his fundamental doctrine of attraction, duality of movement — that is, one movement, normal, in the direction assigned by the Creator, the effect of which is good; and another, which is subversive, in a contrary direction, the effect of which is evil — is utterly impossible. When Fourier speaks of attraction, we presume him to mean something, and to mean that attraction in the moral world, in all worlds, is precisely what Newton has found it to be in the material world. If so, it must operate uniformly, constantly, invariably, necessarily, and draw, *impel*, as Mr. Godwin says, each being in the universe to its destined end, unless crossed or counteracted by some force acting from without. But whence the crossing, contradictory, disturbing force, in a universe made after the most perfect model, governed

by one and the same universal law, namely, attractions proportional to destinies? To get a disturbing force, it would be necessary to assume two original principles, one good, the other evil, coeternal and eternally warring one against the other; which is not only contrary to the gospel, but to Fourier's own theory of universal unity. We therefore, designedly, make no account of what Fourier calls the subversive development, for he recognizes none of the necessary conditions, and assigns no original principle or cause of subversive action.

But without insisting on this, we have other grounds for denying that the Fourierists hold that the evil comes from man's abuse of his own freedom. In Mr. Godwin's book, already quoted, we have a chapter on Good and Evil (Chapter III.), in which he attempts to answer the question of the origin of evil, and in this not one word is said of man's abuse of his freedom. Mr. Godwin, we make no doubt, writes the reply to us in *The Phalanx*, of which he is one of the conductors; at any rate, *The Phalanx* refers to him as authority on the moral and religious bearings of Fourierism. But this is not all. Mr. Godwin's work is, in the main, nothing but a free translation, as he himself informs us, of the *Vue Synthétique*, by one of the ablest and most distinguished members of the Fourier school in France. The work, then, is good authority. Evil in this chapter is assumed to have originated in man's primitive ignorance. "Evil," says Mr. Godwin, "is ignorance; with the advent of science, it disappears." God made the universe well, after the most perfect model. The machine is admirably constructed, and will work well, and produce the results intended, if worked according to the intention of the maker. But an ignorant person, not understanding the mechanism of the machine, very foolishly charges himself with its management, and, of course, it goes wrong, and makes sad work. *In this way evil comes.* God has constructed the machine wisely, but we do not know how to use it; no one, before Charles Fourier, ever taught

us how to use it. But Mr. Godwin forgets that man himself is a part of the general mechanism of the universe, and in some sense the machine to be managed, as well as the one to manage it; and therefore, if he, through ignorance or any other cause, is unable to perform from the first moment his allotted part in the machine, be it what it may, the machine itself is imperfect, and the engineer has failed, either in its construction, or in the generation or application of its motive power. It is of little avail that the mechanism be perfect, if the motive power be inadequate or irregular. The inadequacy or irregularity of the motive power, or the unskilfulness of the directing or managing power, is just as much a defect as would be the want of the necessary complement of springs, wheels, or cogs. A mill, though admirably contrived to be driven by steam, would be ill constructed, if intended to be driven by water. A perfect ship, to be propelled by sails, would be imperfect, if intended to be propelled by steam. A machine, which, from the nature of the case, must be worked by a weak or ignorant person, would by no means be adapted to its end, if so contrived as to be capable of being worked only by a Samson or a Solomon. Wisdom consists in adapting means to ends, and, where the constructor has the choice of both means and ends, we can hardly call him wise, if he fails to adapt them to each other.

According to our Fourierists, the Creator made a machine, or something which may be represented under the figure of a machine, which man was to manage; that is to say, a part was assigned to man in the universe to perform, to which man through ignorance was inadequate, and from this proceeds the evil of which we complain. Now, we demand, wherefore a wise and good Creator assigns to any being in the universe a part disproportioned to the powers of that being. We demand, furthermore, how it can comport with wisdom and goodness to do so. The Creator is infinite, and can do whatever does not imply a contradiction. It implies no contradiction to allot to each a

part proportioned to his capacity. Wherefore, then, has the Creator assigned to man a task beyond his capacity? Mr. Godwin says, God cannot construct a machine that will work well, when managed by one ignorant of its mechanism. Be it so; but why does he intrust the management of a machine to one who does not understand its mechanism?

But Mr. Godwin — and he speaks the sentiments of his master — contends not only that the evil comes from man's ignorance of the mechanism he was to direct, but that man himself was created in this ignorance. We ask, then, if man was to be blamed for being ignorant. God made him ignorant, placed him in a world with which he was unacquainted, and whose laws he knew not. Was this man's fault? Did this ignorance proceed from man's own abuse of his freedom? Of course not. But the evil comes from this ignorance. Therefore evil does *not* come from man's abuse of his freedom. This ignorance has its origin in a cause extraneous to human activity. But man is all in his activity; for, save so far as active force, he does not exist, has no being, as we have demonstrated in our criticism on the *Critik der reinen Vernunft*. Therefore, the evil in the world, since it proceeds from this ignorance, comes from a cause or causes extraneous to man.

Again, ignorance is a predicate — a negative predicate — of the faculty of intelligence. But Fourierists separate the intelligence from man, and declare it to be not man, but one of his servants. We quote, in proof, Dr. Pellarin.

“As to the famous definition of man by M. de Bonald, ‘Man is an intelligence served by organs,’ it omits what is principal in man. *It would be much more correct* to say, that man is a combination of DESIRES (or passions) *served by an intelligence and a body.* Thus, whilst the end to which we are socially destined was marked in an immutable manner by passionall attraction, which urges us unceasingly towards it, — Intelligence, which had for its task to *discover* the means of attaining it, — Intelligence, trampling under its feet the instincts of our nature, and rebelling against the will of God revealed by the tendencies of Attraction, — *Intelligence*, we say, took it

into its head itself to assign another end to our destiny, an arbitrary end, in view of which it has pretended to recast and fashion the heart of man to suit itself. It has presumptuously arrogated to itself the right of deciding such or such a thing to be *good* or *evil*, according as that thing agrees or disagrees with the chimerical end of which it has dreamed." -- *Vie et Théorie*, p. 334.

There can be no question that the Intelligence is a rascally *knave*; but because he takes it into his head to leave his master's service and to set up on his own account, shall we hold the master responsible for all his peccadilloes? The master is the "combination of desires," and is, as we have proved over and over again, according to the Fourierists, perfect and holy. He must, then, have commanded his servant properly; and all would have gone on well, if the servant had only obeyed orders and done his duty. It is all the fault of Intelligence, and Intelligence is no more the man than is the body. Then the faults it commits are no more the faults of the man than the involuntary twitches and spasms of the muscular fibres. The man is identical with the passional nature, as shown by Dr. Pellarin's definition. The passional nature and the voluntary nature are declared by Fourier, as Mr. Godwin informs us, (p. 43,) to be identical, and we have ourselves identified will and liberty. Consequently, the man is identical with liberty. But intelligence is separate from man, as shown above. Therefore, the intelligence is separate from liberty. But the evil comes from ignorance, or defect or defection of intelligence. Therefore, it does not come from the abuse of liberty, as *The Phalanx* alleges. But Christianity teaches that evil originates in man's abuse of liberty. Therefore, Fourierism, which denies this, is repugnant to Christianity.

Once more; we question the statement of *The Phalanx* for another reason. Mr. Godwin, in the passage we have quoted from his *Popular View* concerning the loss of Eden, which resulted from the primitive transgression, attributes that loss to *natural* causes, by

which he must understand other than *voluntary* causes. The principal of these causes, he says, was a scarcity of provisions, brought about by a superabundant population. Then the cause was not in man, but in the fact, that restraint was exercised, or threatened to be exercised, on his passion for food. If there had been no let or hinderance to this natural passion, there would have been no individual selfishness, no transgression, no evil. It was not owing, then, to any perversity of the will, but, as Malthus would say, to the fact, that population had outrun the means of subsistence; and the evil could have been prevented only by a check on population, that is, by restraining a natural propensity.

We are not caricaturing Fourierism. We speak with all gravity, and are far from exaggerating in a single feature or a single line. The whole system is sustained by reasoning just like this of Mr. Godwin's. Evil in all cases comes from poverty, from a deficiency in the external means, whether material or moral, of meeting the internal demand. The default of the object results in the subversion of the passion, whence results the long catalogue of evils which afflict us. No Fourierist, who has comprehended the master, will have the hardihood to deny this. Whatever of internal corruption, or subversion of man, there may be, all has been superinduced by man's inability to find in his circumstances and relations his legitimate satisfactions. Hence Mr. Dana, of the Brook Farm Association, and one of the writers *The Phalanx* commends, says, —

“ We do not make war upon any part of human nature, but only upon its false circumstances and subversive conditions. God has formed no creature with innate desires and necessities for which there is no means of supply. Nor is man an exception to this universal law, and only in false and unnatural circumstances and relations can he fail to be a partaker of the universal satisfactions. The first result, then, of a true order of society will be the means of complete and just satisfaction for the fundamental or sensuous [sensual?] wants of man.” — *Association in its Connexion with Education and Religion*, p. 26.

Before quitting this part of the subject, we have a word or two to say on the doctrine of the Fourierists concerning the primitive state of man. They regard the paradisaical state, what they call Edenism, as a state of infancy, in which man is ignorant, without power or force. They consider man before he sinned as less knowing, less strong and energetic, than afterwards. Thus by sin came wisdom, power, and force. How far this is removed from the Christian doctrine, that by sin man lost the justice and sanctity in which he was constituted, and that the wages of sin is death, — death temporal, spiritual, and eternal, — we trust our readers have no occasion to be told. But we wish to consider it in another point of view. We would like to know where, in the Sacred Scriptures, we find the evidence that the primitive man was thus ignorant and weak? Moses says not one word of it, but, on the contrary, teaches us that Adam was not thus ignorant; for the Lord God brought the various animals to Adam, to see what he would call them, “and whatsoever Adam called every living creature, that was the name thereof. And Adam gave names to all cattle, and to the fowl of the air, and to every beast of the field.” This seems to imply that the man was not altogether ignorant, and we much doubt whether the great Charles Fourier himself ever knew enough to give to every living thing its appropriate name; for the name which Adam gave was the true name, a name which expressed the nature and character of the creature named, — “And whatsoever Adam called every living creature, that was the name thereof.” The Church has always held the opposite view, and inferred from the free and open communion which Adam enjoyed with his Maker, not to speak of his intercourse with the angels, that he was really more knowing than any of his posterity. Moreover, there would have been great injustice in punishing him so severely for his transgression, if he had sinned merely through ignorance. He was punished because he sinned knowingly, voluntarily, without any reason or motive out of himself, save the temptation of the

Devil, which temptation he had the ability to resist. This, we believe, is the Christian view. Whether Adam knew what he knew by the single forces of his nature, or by supernatural illumination and grace, it is not necessary now to inquire. But this much is certain, — he possessed perfect human nature, and was constituted in a state of complete justice and sanctity, stood in the favor of God, and would have known no evil, would have lived for ever, without undergoing the change we call death, had he not sinned. He knew and communed with God; and knowledge of God includes all other knowledge; for who knows the Creator knows the creature. But this knowledge he lost by the Fall; and it was not till after the Fall, that man was found in that state of ignorance and weakness, which the Fourierists assume to have been his primitive state. In asserting the contrary, Fourierism does but give another proof of its utter repugnancy to Christianity.

II. We pass now to our second charge against Fourierism; namely, that it seeks to supersede the Church.

We have elaborated the points we have considered, as some of our readers may think, at an unreasonable length; but we have done so not for the sake of vindicating ourselves from the charge of having misrepresented Fourierism, but because the whole Fourier doctrine, even down to its minutest phalansterian arrangements, is involved in them. If the Fourier doctrine is not, on these points, what we have endeavoured to show that it is, it is nothing but a string of absurdities and contradictions from beginning to end. It has no systematic sense or consistency, no theoretic principle, no regular logical progression. It is, moreover, only on the supposition of the goodness of human nature and the sanctity of the inclinations, and the further supposition, that the disorder which exists has its cause in the false industrial and social systems which have obtained, and still obtain, that the remedy proposed can have any adaptation to the disease, or any promise of proving effectual. This is so obvious, that we shall

spend no time in proving it, but proceed at once to show that the remedy it proposes is as different from that proposed by Christianity as is its view of the disease.

In our number for July, addressing the Fourierists, we say, —

“Christianity assumes that the evil originates in man’s abuse of his freedom, that here [in this abuse] is the cause of that evil in nature and outward circumstances, which reacts upon him with such terrible vengeance; it therefore proposes, as its method of recovery, to lay the axe at the root of the tree, to cut off the evil in its source, by purifying the heart, out of which are the issues of life. You reverse this; the natural instincts, appetites, passions, and affections of man, you hold, are only so many revelations of the will of the Creator; and the fact, that man possesses these, is a sure indication that it was the will of God that they should be gratified.”

The Phalanx does not and will not contradict this statement. The statement, so far as concerns the Christian doctrine, all will admit; so far as it concerns Fourierism, the quotations we have made abundantly prove its correctness. The work proposed by Christianity is, to regenerate the soul, to purify the heart, and to bring man into communion with God; the work proposed by Charles Fourier is, to find and establish a social and industrial order which shall afford a free and full gratification to all our desires, to all our inclinations, or tendencies. The difference in the point of view of each leads necessarily to this difference in the work proposed by each. Christianity, regarding man as being by nature, since the Fall, a child of wrath, prone to evil, unclean within and without, sold under sin, in bondage to the Devil, who has power over him, seeks to deliver him from this bondage, to restore him to inward moral freedom, to cure him of evil concupiscence, and present him holy and blameless, covered with the robe of Christ’s righteousness, before his God. In a word, it regards man as inwardly diseased, and it seeks to cure him. Fourierism, on the contrary, regards man as whole in himself, but as the victim of the false medium in which he lives. He is as the plant struggling to work its way

up to the light, but kept down and turned out of its direct course upward by overlaying rocks, which it is too feeble to push aside. Man is diseased, but only so far as affected by the surrounding medium. The seat of the disease is in the medium, not in him. Its effort, therefore, is to heal the medium, — sure that then man himself will be instantly convalescent. According to Christianity, the seat of the disease is in man ; according to Fourierism, it is in social and industrial institutions. Here is a broad distinction, and there must needs be a wide difference between the disease recognized by the one and the disease recognized by the other, and one would naturally conclude, *a priori*, an equally wide difference between the remedy proposed by the one and that proposed by the other. Let us see if it be so.

Christianity proposes to remedy the disease by removing the curse under which man by nature labors. This it does by the blood of the atonement, applied to the individual by the water of baptism, which is called the “washing of regeneration,” and by the infusion of confirming and strengthening grace, whereby the sinner is freed from the dominion of sin, is strengthened to keep the law of God, and to attain to true justice, sanctity, and love. It renews and communicates the *power* of a higher life, gives us the power to become sons of God. It presupposes, that by sin we lost our sonship, and by nature have not power to regain it, nor to retain it ; and it recognizes the necessity of our receiving supernatural aid, which aid, when received, becomes in us the ability to will and to do what God commands. The great practical matter is the communication of this ability or power, which is “Christ formed within us, the hope of glory.” The great question concerns the means by which it is communicated. These means are chiefly the sacraments of the Church, which only the Church has, and which only the Church can rightfully administer. Hence, the Church becomes, under God, in the hands, so to speak, of the Holy Spirit, the medium of our redemption from sin, our restoration to justice and sanctity, and growth in

true knowledge and love. For this purpose Christ founded the Church, for this end he sustains it by his presence with it "all days unto the consummation of the world."

Now, Fourierism, by asserting the native holiness of man and his instincts, and transferring the seat of the disease from man to the medium in which he lives, declares this remedy unnecessary, so far as it concerns man himself, and obviously inappropriate, so far as concerns the diseased medium. It declares, then, that there is no necessity for the sacraments, because there is no need of the infusion of supernatural power, and, therefore, no need of the Church to possess and administer the sacraments by which it is communicated. It goes further still, and asserts that there was no need of the atonement, therefore no need of the Christian Sacrifice, and then no need of Christ, and then, of course, that Christianity is all "much ado about nothing." We defy *The Phalanx* to get away from this conclusion. *Whoso denies the Fall, in the Christian sense, and the corruption of human nature through Adam's sin, denies all necessity of the Christian dispensation, and virtually the Christian religion itself.* There is no use in multiplying words on this point. We repeat, then, what we said in our July number, — "Christianity is a system of means divinely devised and instituted for the recovery of man from sin, his restoration to justice and sanctity, and his growth in knowledge and love. This system of means you [the Fourierists] reject, and substitute therefor the discoveries of Fourier, and for the Christian Church, its ministries, sacraments, and disciplines, the Fourier phalanx, with its groups, series, and alternations of labor." What now shall we say to *The Phalanx's* denial that the Fourierists reject Christianity as a system of means divinely devised and instituted for the recovery of man? All we can say is, if they accept it, they are much less consequent reasoners than we have given them credit for. Christianity, with its ministries, sacraments, and disciplines, is, on their hypothesis, superfluous and absurd.

But *The Phalanx* itself furnishes us the proof that the Fourierists, at least the American Associationists, do reject the Christian Church, and propose to substitute in its place Industrial Associations. The Church, according to St. Paul, is the body of our Lord, that in which is embodied the law of the spirit of life. The Associationists, whose organ *The Phalanx* is, in their address to the public, quoted by *The Phalanx*, against us, say, —

“But we take higher than this merely defensive ground; we have positive principles to teach; we are propagandists; and while we refrain from mingling with the peculiar religious feelings of any sect or individual, we yet assert that the true organization of every sect is to be found only in the principle of Association. Religious truth is the *principle* of unity and harmony; but it cannot be realized in *practice* universally, without a correspondent unity of action in the *sphere of worldly interests*. Association is the true form for the practical embodiment of religious truth and love; and while attractive industry and unitary combination are not themselves religious unity, they are the body or collective form in which alone the ordinances of Christianity, the spirit of religion, the Universal Church, can be incorporated, practically, incessantly; for, without the body, the spirit cannot be fully manifested on earth.” — *The Phalanx*, p. 201.

This, though expressed with great caution, is sufficiently explicit, when taken in connexion with what precedes it. The views of the Associationists, on the subject of the Church, are, so far as we can collect them, that there are certain great and eternal laws, according to which God has created and by which he governs the universe. These may be called NATURAL LAWS. The prophets and seers of old times naturally or supernaturally discovered some of them, Jesus discovered and proclaimed several more of them, and Charles Fourier has discovered and proclaimed the rest. These laws are all of one unitary system, and, therefore, all harmonize. Hence, there is no discrepancy between the discoveries of Fourier and those of Jesus; therefore, no discrepancy between Fourierism and Christianity. The Fourierist accepts the discoveries of Jesus,

and asks, as he thinks he well may, the Christian to accept the discoveries of Fourier as the complement of the others. But the mere discovery of these laws is not enough for their practical realization. The great superiority of Fourier over all his predecessors is, that he has discovered *the practical method of realizing them*, which is technically called ATTRACTIVE INDUSTRY, or ASSOCIATION. Now, this practical realization, or the adoption of Attractive Industry, will be the realization of the true Church, to which the Church which has thus far existed has been only a prelude, a sort of prophecy of what was to be in the fulness of times, at the second coming of Christ. We are sure that we state their views on this point correctly, though perhaps more nakedly than they would be willing to state them themselves.

We must be brief in our comments on this, for we are exceeding our limits. We remark, in the first place, that here is no recognition of supernatural power, no doctrine of grace, beyond the simple revelation of the Natural Laws. This was all that a Fourierist could demand; for, placing evil in ignorance, which disappears with the advent of science, he could see no necessity for any thing more than for the truth to be discovered and told. There was no moral disease in man to be healed, there were no obstructions to obedience to truth, when known, to be removed. All he wants is a prophet in his saviour; he has no need that he should also be a priest and king. On this point he falls short of Christianity, and is Christian only in name.

We remark, in the second place, that the Church is looked upon as a human contrivance for practically embodying the truth discovered, not a divine institution supernaturally founded and sustained for the teaching of truth and the communication of life. As yet it has never existed, says *The Phalanx*, save *in potentiâ*, — as a prophecy, not as a reality, — only as something that is to be, not as something which is. “We do not deny the spiritual truth of religion,” says Mr. Godwin, as quoted by *The Phalanx*. “We desire to *organize a*

body to receive that truth, — a practical reality, not a mockery." So, thus far, religious truth has had no embodiment, has been no reality, but a mockery. And *The Phalanx*, in its innocence, quotes such statements as these, to prove that we did the Fourierists injustice in charging them with rejecting the *Christian Church* ! Really, *The Phalanx* makes the rejection more decided than we had supposed, and its defence has made the Fourierists appear more thoroughly infidel than we had ourselves believed.

Perhaps the writer in *The Phalanx* will feel hurt, if we do not take some notice of the novel church theory which he quotes from *The Pathfinder*, in which he inserted it some time since, in reply to some essays of ours on the *Mission of Jesus and the Church*, published in the *Boston Christian World* ; but, really, he must excuse us ; we are tired of novelties ; and the simple fact, that a theory of the Christian Church is *new*, is with us a sufficient reason for refusing to receive it. It is enough for us to say, that Mr. Godwin's theory is not that which the Church has authorized. It is not that which the Christian world has ever recognized as from God, and, therefore, we have nothing to do with it. We are simply concerned to know, whether the Fourierists believe in *the* Church, not whether they believe in *a* church. If they do not believe in *the* Church in the sense in which Christians always have believed and still believe in it, they do not believe in the *Christian Church*, "the Church of God, which he hath purchased with his own blood."

We must tell *The Phalanx*, that the extract he makes from what he terms an "accredited publication" does not, as its writer seems to imagine, express the *Catholic* doctrine. In the first place, the Catholic believes the Church came into the world *perfectly formed*, and that it received all truth from the beginning, and, therefore, can make no progress, save in the application of truth to the life and progress of individuals and society. It effects a growth in individuals and in society, but it has no growth of its own. It is immutable, like

its Author, and is unchangeable amid all changes, immovable amid all fluctuations, the representative of the eternal and unchangeable God. What it was eighteen hundred years ago, it is now, and will be to the end of time. The Catholic, moreover, believes the Church not only to be authoritative, but infallible, in all that concerns faith and the principles of morals, and authoritative because infallible. He would shrink from the tyrannical doctrine put forth by *The Phalanx*, that a man is bound to submit to a fallible church. Liberty of opinion, in his view, is in being required to obey only the authority of God. Holding the voice that speaks in the Church, when the Church speaks authoritatively, to be the voice of God, he holds it no infringement of liberty to be bound to obey it, for he obeys only truth itself. But he would hold his right of private judgment abridged, destroyed, by the doctrine of *The Phalanx*, (p. 303,) that every man is to obey the established church, although that church is fallible, and to abide in the church wherein he was born, be it what sort of a church it may. If *The Phalanx* chooses to believe so, it is his affair, not ours; but we beg him not to call it *Catholic* doctrine.

We must tell *The Phalanx* that his great talk about the word of God does not deceive us any more than his professions of Catholicity. He must accept the *whole* word of God, and in the sense the Church understands it, before we can admit his orthodoxy; and so long as we find him able, with his professed reverence for the word of God, to accept and defend such notions as we have seen are entertained by the Fourierists, we shall have no great difficulty in determining how much his reverence for the word of God is worth. But enough of this.

From the account we have given, it would seem to be pretty clear that the Fourierists may admit that Jesus did reveal some of the hidden laws of nature, gave to men a somewhat clearer insight into their spiritual nature, and furnished them with several noble precepts, yet they recognize in him neither the priestly

nor the kingly character, at least, in the Christian sense ; that, though they recognize a church, they do not recognize the *Christian Church*, but teach doctrines which make it superfluous, and an absurdity ; and that the church they do believe in is a church which is yet to be constituted, and to be constituted by human hands, and, in fact, by the adoption of Attractive Industry. The adoption of this was not possible before Fourier. Therefore, a true church, in their sense, has never been possible till now. But a church founded by man, or a church which grows up naturally around certain ideas, is not the Christian Church. For the Christian Church was formed *a priori*, and placed in the world in advance of the natural effects of the truths it teaches ; and since the Fourierists accept no such church as this, we say we were right in accusing them of rejecting the Christian Church.

We have not space to touch upon all the points raised by the reply of *The Phalanx* to our remarks, but we have seen no reason for modifying our former statements in any respect whatever. Notwithstanding the stare of *The Phalanx*, and its accusation of *libel*, at what we said concerning the relation of the sexes in the phalansterian world, its editor does not contradict us ; for he knows that we had ample authority for our statement, that Fourier recognizes the necessity and legitimacy of a sexual indulgence which extends beyond the Christian rule, although he thinks it may probably be three hundred years before it will do to introduce definite arrangements on the subject. Will *The Phalanx* deny this ? Here is what Mr. Godwin himself reports to be the doctrine of Fourier.

“ Departing from the vestalate, each one will enter into some corporation, having *constancy* for its rule ; *many* will stop there ; but *others* are so peculiarly formed, that they will join themselves to other corporations, more or less severe, as *may be agreeable to their inclinations and temperaments*. . . . The first organization is that of the vestallic corporation, devoted to the most purely spiritual relations between the sexes, and which is surrounded by the most attractive charms and the most ennobling

honors, to retain its members as long as possible within its instructions; another would be the corporation of constancy, as we have said, at which the most part of men and women would stop; while others again, named Bacchantes, Bayadères, &c., would pass into other corporations not *so strict* in their requirements. Such characters as Aspasia, Ninon de l'Enclos, &c., Fourier regards as *essential parts* in the variety of the human race, who will always exist, who must be allowed for in every scheme of philosophy, and whom society, instead of rudely thrusting from its charities, must turn to some good account." — *Popular View*, pp. 88, 89.

If the reader will turn to our July number, (p. 314,) he may see and judge for himself whether we *libelled* the Fourierists. We libelled them only on the principle, "the greater the truth, the greater the libel." We did no more than state the simple truth. We have, we trust, as many charities for human frailty as any of our brethren, and are more wont to weep than to exult over the fallen, or the victims of any passion, however improper or dangerous may be its unrestrained indulgence; but when new philosophies and new schemes of reform are brought forward, and the public are called upon to adopt them, we believe it is no lack of charity on our part to lay open their real character, that those who do adopt them may know beforehand what it is they are adopting.

But the probability is, that we have not the whole of Fourier's doctrine on love and its relations; for he complains, in his work published in 1822, that he had, in deference to public prejudice, refrained from enlarging as much on the subject as he wished, and had confined himself mainly to negative statements. Mr. Godwin admits that Fourier was in favor of divorce, when the parties do not find themselves mutually fitted to each other; which is contrary to the Christian rule.

We accused the Fourierists of presenting only Epicurean motives for adopting their scheme. *The Phalanx* denies this, and says something about self-denial being an essential function of the soul; but we assure *The Phalanx*, that, with every disposition to do full justice to the doctrines it defends, we do not understand

how self-denial can comport with Fourier's fundamental principles, unless he brings it under the famous head of *exceptions*; especially when, as *The Phalanx* itself alleges, self-denial is necessary only while under the curse, and that in Harmony, all our duties, &c., "will be in entire concordance with the gratification of all our essential desires." Moreover, the Fourierists make poverty the primal curse, and have no hope of social redemption but through wealth and luxury. Fourier romances on the wonderful increase of wealth that would instantly take place, if his system should be adopted. He would, if our memory serves us right, pay off, out of extra gains, the whole national debt of England, in twelve years. Whoever has heard Mr. Brisbane lecture, or read his books, must be satisfied that the increase of wealth, and the multiplication of luxuries, of the means of gratifying all the senses, are the grand motives he holds out. The Fourierist has no indulgence for poverty. He does not say, Blessed are the poor, and woe unto the rich; but, Blessed are the rich, and cursed are the poor. He has no conception that pure, unalloyed bliss may be tasted in a poor man's dwelling, and under a coarse and tattered coat. As to pleasure, Fourier himself, in the work we have already alluded to, his great work, tells us, that in Harmony, that is, in the new world he is to introduce, the normal length of life will be one hundred and forty-four years; and he urges, as one of the motives for adopting it, that in our present state of society a beautiful woman can enjoy the pleasures of love for only about fifteen years, but in Harmony, one hundred and twenty years. Surely, therefore, every beautiful woman ought to become a Fourierist forthwith! Yet *The Phalanx* assures us that they adopt the starting point and method of Christ!

The Fourierists place their master on the same line — we shudder to say it — with our ever blessed Saviour, and pretend that he proceeded in the same way that Jesus did. Is this so? Jesus preached the Gospel to the poor, and found, amid poor boatmen and fishermen of the Lake of Gennesaret, disciples who could become

efficient ministers of his religion, and pillars of his Church ; but Fourier could do nothing with the poor, and they nothing for him. He could not commence operations without a million of dollars in advance, and his biographer tells us of the pains he took to enlist the court and nobility in his cause. He even advertised publicly for a rich disciple, appointed the time and place when and where he would receive the *millionnaire*. But, alas ! no *millionnaire* came. No such disciple has as yet been found ; and though it is almost forty years since Fourier first made his brilliant discovery, a Fourier establishment, according to the principles and arrangements of the master, does not as yet exist on the face of the globe. The grand experiment has not yet been made. Men of genius, of talent, of science, of learning, have been recruited in great numbers, but no *millionnaire*, and we should think the Fourierists would soon begin to exclaim, "How hardly shall they who have riches enter into the kingdom of heaven !"

We have said that the Fourierists place their master on the same line with the Author and Finisher of our faith. M. Considérant, in his oration at the tomb of Fourier, calls him "the redeemer of the world." *The Phalanx* quotes, in its 14th number, Fourier's reply to the *Gazette de France*, in which Fourier modestly disclaims the title of Messiah, on the ground that the Messiah is a title not usually appropriated to the teachers of science ; yet he seems to intimate that he may be the Paraclete, *he who was to come after Jesus*. He says, (*Fauss. Indust.*, p. 463,) as quoted by Dr. Pellarin, in the work before us, p. 268, —

"There are *two* personages from whom I cannot isolate myself without denying myself, — they are Jesus Christ and — Newton ! Jesus predicted, and urgently called men to the discovery of, Attractive Industry. His contemporaries refused the task. Sixteen hundred years afterwards, Newton began the calculation of Attraction in the material world only, without applying it to industry, to the societary mechanism, of which *I am the inventor*. Blind in relation to this, Newton has been singularly clear-sighted in all else. My doctrine unites itself (*se rallie*) in every point to his, and to the precepts of

Jesus Christ, which I am about to extract from the Gospel. How, then, could I outrage my *two* guides? I defy any one to find in my treatises and writings a single phrase, when speaking of Jesus Christ, in which I do not praise his noble character and his lofty wisdom."

Could a man who believed Jesus Christ to be any thing more than a man have ever written these sentences? With what inimitable coolness Fourier places himself, Newton, and our Saviour, on the same line, claiming for himself superiority over Newton, and for Newton superiority over Jesus, the Son of God! Jesus prophesied, but did not make, the discovery. Newton began the discovery, Fourier completed it, and therefore is to be honored as their complement; and yet he was a Christian, because he never failed, when speaking of Jesus Christ, to praise (*faire l'éloge*) his *noble* character and *lofty* wisdom. O Fourier, didst thou ever fall down at the foot of his Cross and adore him as thy God, as "*Deum de Deo, Lumen de Lumine; genitum, non factum; consubstantialem Patri, per quem omnia facta sunt*"? If thou hadst, thou hadst never spoken of him in these terms.

If we had room, and thought it worth our while, we would touch upon Fourier's notion of immortality, — of the metempsychosis, the *trans* and *cis*-migrations of souls eight hundred and ten times, and finally all but a few choice souls expiring with the soul of the globe to which they are attached, — of the cordons of aroma by which the planets communicate one with another, — of his denial of the scriptural doctrine, that all the human family have sprung from the same original pair, and his assertion of the original creation of thirty-two couples, &c., &c.; but our respect for the many really excellent qualities of Fourier disposes us to cast a veil over these and similar absurdities, which make one feel that their author was, on some points at least, hardly sane. We hope his disciples will not press us too hard, nor insist too strenuously on our reverencing Fourier as a Christian believer.

The Fourierists contend that Fourier proclaimed his

doctrines as *scientific* discoveries, and that they should be judged of on scientific grounds. They can hardly be serious in this, for there is nothing like science in Fourier's works, and hardly an attempt, so far as we can discover, at scientific investigation, or scientific proof. He was all his life haunted with the fear of plagiarism; but, for the life of us, we cannot call to mind a single doctrine peculiar to him, that would be worth one's while to filch. We have thus far spoken of his views only in their relations to the Christian religion; but we are prepared to controvert them as philosophy, and as economy. We accept not one of his leading doctrines, and we are prepared to demonstrate that all the evils which prevail in our present social state, and some new ones, might exist in the order he proposes to introduce; and we may do so some time hereafter, if Fourierism should not soon give place to some newer novelty. We assure *The Phalanx*, that it is not because we have not studied Fourierism in any but its religious and moral aspects, that we have treated it in no others. We have taken considerable pains to fathom the whole system, and we hold ourselves to have some knowledge of it. But for us to reject it, it is sufficient to know that it contradicts our religion; and this is one great reason why we do not treat it as a science. There is no science, if true, that can be hostile to religion; and when we find a pretended science striking at the foundation of the Gospel, we know by that fact alone that it is no genuine science.

The Fourierists appear to think it is hard that they cannot be permitted to advocate the *science* of Association without being attacked by the friends of religion. We assure them, no friend of religion attacks them because they advocate Association, or because they seek to lessen the evils of society and augment the sum of social well-being. In all this they have the sympathy and prayers of every Christian believer. They are opposed, because they advocate a doctrine of association which is hostile to Christianity, — because they assume,

as their premises, principles which are repugnant to the Gospel, and, therefore, do themselves commence by making an attack on religion. If they could find in the Christian philosophy their *data*, or if they confined themselves to merely practical arrangements for social and industrial ameliorations, without assuming to bring out a new philosophy, a new theology, no Christian would disturb them. But, with their fundamental doctrines, we cannot, if we would, go with them in their practical arrangements, without renouncing our allegiance to the Son of God. They tell us that they interfere with the religious feelings of no class of professed Christians, and they, no doubt, really believe what they profess. But they do interfere with the faith of Christians, and of every class of Christians, — except modern transcendentalists, — in almost every book they write, or discourse they publish. How, then, are we to be silent? Doubtless, it is painful to every philanthropic mind, who has seen and felt somewhat of the evils of life, to be found opposing any class of men seriously and honestly laboring to remove them, and more especially when many of those he must oppose have been for years his own personal friends and associates, and who, perhaps, are only seeking to realize what he and they had dreamed in common, and on principles which he had been the foremost to proclaim. But, when a man sees clearly that he must oppose them, not in their benevolence, not in their philanthropic zeal, not in their singleness of purpose, purity of heart, and lofty aspirations, but in their false philosophy and unsound theology, or be false to his Master in heaven, and therefore to his brethren on earth, he must do it, at whatever sacrifice it may be of personal feeling.

Yet we cannot close this too protracted article without saying that we have too recently, ourselves, entertained many of the views we condemn in the Associationists, and we know all too well the mental and moral sophistries by which one is enabled to entertain them without feeling that he is opposing the Christian

doctrines, to have personally any but feelings of charity and respect for them. They do not see their doctrines in the light we do, and we ourselves did not, when we were, in some measure, with them; for, if they did, they would be as unwilling to defend them as we are. We know many of these men, and we have the greatest confidence in their integrity; and while we have no quarter for their doctrines, we should regret to find ourselves insensible to their many personal virtues.

The great and leading error of the Associationists is not, indeed, in their too high estimate of the dignity and worth of the human soul, — for Christ, by his death, has ennobled every soul; but in their overlooking the necessity of supernatural grace to enable a man, any man, to will and to do the will of God, and in not perceiving that the mere discovery of truth is not sufficient to give us the power to obey it. Here is their fatal mistake. They may respond by calling us ignorant, conceited, arrogant, what they will, and ask, Who are you to lecture us? but though we are nothing, and think full as lowly of ourselves as others can think of us, we dare affirm this truth, for we but echo an authority before which all must bow. We are in bondage; the good that we would we do not, the evil that we would not that we do. There is a law in our members that brings us into captivity to the law of sin and death. No human arrangements, no industrial and unitary combinations, can deliver us from the body of this death. Nothing can deliver us but the grace of our Lord Jesus Christ, the benefits of his mission and death personally applied by the communication of the Holy Spirit. It is in no idle cant, we speak this solemn truth, but in deep and earnest conviction, to which, after years of wandering, we have been forced by a power stronger than our own. And till we receive this grace, till we are freed from this death, are made free by the Son of God, it is in vain we attempt social ameliorations. They will all prove abortive. For there is none other name given under heaven among

men whereby we must be saved. Not by the increase of goods, not by the multiplication of material wealth and luxuries for the gratification of the senses, will peace, order, and love be established among men; but by a meek and quiet spirit, by humility, lowly reverence for God, by feeling that blessed in very deed are the poor, and the poor in spirit. O, Jesus was the true reformer! he gave us the law of all reform; and do not dream that the order he established is to pass away, and be succeeded by another; for his kingdom is to endure for ever, and of its increase there is to be no end.

The third charge we brought against Fourier's plan of reorganization — namely, that, admitting its speculative truth, it is impotent to effect the social reforms it promises — we pass over, for *The Phalanx* has not undertaken to controvert what we have said in its support. When a Fourierist shall comprehend and refute the principle contended for in our essay, *No Church, no Reform*, inserted in this Journal for April last, we will consider this charge of the practical impotence of Fourierism somewhat further. Till then, nothing more needs to be said.

ART. III. — 1. *White's Confutation of Church-of-Englandism, and Correct Exposition of the Catholic Faith, on all Points of Controversy between the two Churches.* Translated from the original Latin, by EDMOND WM. O'MAHONY, Esq. Philadelphia: Henry M'Grath. 1844. 12mo. pp. 342.

2. *The Churchman.* Edited by the Rev. SAMUEL SEABURY, D. D. New-York: No. 698. August 3, 1844.

THE first named publication was originally written in Latin, at Louvain, in 1661, by Alexander White,

a pious and learned man, who had been bred up in the Protestant religion, and for some time had officiated as a clergyman of the Church of England. The work is marked by sound sense and solid learning, and may be consulted with confidence and advantage on all the great points of controversy between the Catholic Church and the Church of England. We are not aware that any answer to it has ever been attempted, and we are quite sure that our Anglican friends will find it unanswerable. Its editor, however, has been inexcusably careless, especially in the matter of dates. Thus, he permits us to read, that St. Irenæus, who suffered martyrdom in 202, flourished in 290, and that Tertullian, who was only a generation later, flourished also in 290. Inaccuracies of this kind, though they affect not the general reasoning of the work, are, nevertheless, blemishes, which the editor should not have suffered to escape his notice.

We have introduced *The Churchman* to our readers, because we have a high respect for the learning and ability of its distinguished editor, and because, as the organ of that section of the Anglican Church, in this country, which has been supposed to have some Catholic tendencies, it undertakes to answer certain objections to Anglicanism brought forward in our Journal for July, in the review of the Letters of Bishop Hopkins on *The Novelties which disturb our Peace*. We stated, in our remarks, that we could not see how the Anglican Church, on the principles of the Oxford divines, could justify her separation in the sixteenth century from the Church of Rome. According to these principles, as we stated them, and as we understand *The Churchman* to accept them, the Church of Christ is a single corporate body, existing and acting only in its corporate capacity, and therefore capable of manifesting its will only through corporate organs. Hence, the separation of any one member, or particular Church, from the communion of another, not authorized by the Church in her corporate capacity, speaking through her corporate organs, is not authorized by the

Church. The separation of one member from the communion of another, not authorized by the Church, is *schism*. But the separation of the Church of England from the communion of the Church of Rome was not authorized by the Church. Therefore, that separation was schism.

This was substantially our argument. *The Churchman* admits that the Church is a corporation, and, therefore, that it can exist and act only in its corporate capacity; but to the assertion, that it can manifest its will only through corporate organs, and, therefore, that the separation of one member from the communion of another, not authorized by the Church speaking through her corporate organs, is not authorized by the Church at all, he opposes, or seems to oppose, 1. The invisibility of the corporation, that is, of the Church, and 2. That the analogy of the corporate body to the natural body is inadmissible, and therefore no argument founded on the assumption of such analogy can be valid. He says, —

“If Mr. Brownson had termed a corporation an ‘invisible body,’ he would have had both truth and authority on his side; but we apprehend that he has neither, when he makes a ‘visible centre’ and a ‘visible head’ essential to the existence of such body. A corporation may have a particular place for the transaction of business, and an officer to preside in its proceedings; and this place and this officer may in an improper and metaphorical sense be called its ‘centre’ and ‘head.’ So far are they, however, from discharging the functions corresponding to the heart and head of the natural body, that they are mere accidents of the corporation, and not at all necessary to its unity, individuality, or corporate faculty.”

The Churchman must pardon us for saying that we do not perceive the pertinency of this reply, even admitting its abstract truth, which, however, we are far from admitting. It is true, we applied the terms “visible centre” and “visible head” to the ecclesiastical corporation; but we evidently meant no more by them, in our argument, than that a corporation, if but one corporation, must have a visible unity, a unity of thought and will, and an official organ through which the

thought and will are to be expressed and executed. *The Churchman* has apparently misapprehended our allusion to the Church of Rome. He replies to us as if we had asserted that the Pope and the Church of Rome are the source of the authority of the corporation. But we asserted no such thing. We did not contend that it is essential to the existence of a corporation that it have a head ruling by virtue of its own inherent authority; but that the body cannot exist and act as a corporation without an official head through which it may declare and execute its will. For aught that we said, the authority may be vested in the whole body. The question before us was not, Where is the authority of the Church vested? but, What is the legal mode of expressing it? We assumed, that a corporation is a corporation only on condition of possessing corporate unity, and certain organs through which to act; and that it never does or can act, *quoad* corporation, save in and through these organs. Is *The Churchman* prepared to dispute this? A corporation wanting unity, individuality, is obviously no corporation at all; and a corporation having no organs through which to act is at best a merely possible corporation, not an actual corporation; for it has no corporate faculty, that is, no ability to perform a single corporate act. The state without organs, that is, constituted authorities, is no true state; it is at best only the state in abeyance. It cannot act as the state; it can discharge none of the functions of a state.

Equally evident is it, that what is not done by the individuals composing the corporation through its corporate organs, or constituted authorities, is not done by the corporation. The resolutions of the people of Massachusetts, unless these be convened by legal warrant, cannot be the resolutions of the *State* of Massachusetts. The members of the two houses of the legislature, coming together as so many individuals, without form of law, are not the legislature; and however unanimous they may be in their acts, their acts cannot be laws, unless passed in accordance with the Constitution, the

forms of law, and signed by the proper officers. So of any incorporated company. Its acts are corporate acts, authorized by the corporation, and binding on it, only when done by it legally convened, as the corporation, and acting through its proper officers.

The principle here contended for must apply equally to the Church, if the Church be a corporation. It must be an organic body, organized into an artificial individual, and have appropriate organs through which to express and execute its will ; and then only what is done through these organs is done legally, that is, by the Church. This is what, and all, we contended for. We did not contend that the Pope is the *sovereign* of the Church, but simply that he is its visible, official head, through which the will of the Church must be expressed and executed, in order to be legally expressed and executed. More than this we of course believe ; for we hold the Pope to be, not the vicar of the Church merely, but also the vicar of Christ ; but this is all that was assumed in our argument, and all that we judge it necessary to assume in order to convict the Anglican Church of schism.

Admitting, then, for the moment, that the analogy of the corporate body to the natural body is not complete, our argument is not invalidated ; because we do not found our argument on the assumption of such analogy, in any sense in which *The Churchman* has objected to it. He denies that analogy only when the head of the corporation is assumed to govern the corporation in the sense in which the head governs the natural body ; but we have asserted the head not as governing the corporation, but simply as the organ through which the corporation must govern. A head in this last sense is essential to the very existence of a corporation as an actual corporation.

Nor better founded is the objection, that the corporation is "an invisible body." In this objection *The Churchman* asserts the invisibility of the Church, that is, that the Church is an invisible body ; and from the invisibility of the Church he apparently concludes,

though his reasoning is exceedingly vague and uncertain, to the invisibility of its organs, and therefore that an act of the Church, or any portion of it, in order to be legitimate, does not need to be done through visible organs. Consequently, admit that the separation of the Church of England was an act not authorized by the corporation speaking through visible organs, it does not follow that it was not authorized by the Church; for it may have been done by the Church speaking through its invisible organs. Therefore, it does not necessarily follow that the separation was schismatic. If this is not his argument, we do not comprehend the force of his objection, nor wherefore he should have quoted Blackstone's definition of a corporation, namely, "A corporation, being an invisible body, cannot manifest its intentions by any personal act or oral discourse."

But to this we object, 1. That, strictly speaking, a corporation is not an invisible body; and 2. That, though a corporation may not be able to manifest its intentions by a *personal* act or oral discourse, yet it must be able to manifest its intentions, and, therefore, have organs through which to manifest them, or be at best only a merely possible corporation, not an actual corporation. To all practical purposes, otherwise, it would be as if it were not.

A single legal authority will suffice to sustain our first objection.

"A corporation," says Mr. Kyd, as quoted with approbation by Angell and Ames, "is as visible a body as an army; for, though the commission or authority be not seen by every one, yet the body united by that authority is seen by all but the blind. When, therefore, a corporation is said to be invisible, that expression must be understood of the *right* of many persons, collectively, to act as a corporation, and then it is as visible in the eye of the law as any other right whatever of which natural persons are capable." — *Angell and Ames on Corporations*, p. 4.

But even admit that the corporation, *quoad* corporation, is invisible, yet the individuals composing it, and

the organs through which it acts, are visible, and this is all the visibility we contended for. The authority of the Church, all admit, is invisible ; for it is the authority of Christ, who is its Invisible Head. But the question we raised does not turn on this, but on the visibility of the organs through which that authority is expressed. Is *The Churchman* prepared to deny that the Church is the visible depository of the doctrines, and the visible medium of the authority, of Christ on earth ? Does not *The Churchman* hold, as well as we, that Christ both commissioned his Church to teach all nations, and commanded us all to *hear* the Church ? But, if the Church, that is, the *Ecclesia docens*, be not visible, how are we to recognize it, to know when we hear its voice and receive its teachings, or when we do not ?

The validity of the second objection we have already established, in establishing the necessity of organs through which the Church may manifest its intentions. The Church is to teach ; but how can it teach, if it have no organ for teaching ? We, the *Ecclesia discens*, are to hear it ; but how can we hear it, if it have no voice ? And how can it utter its voice without a vocal organ ? And if the organ be not visible, cognizable, how shall we distinguish the voice of the Church from any other voice, or know it to be the voice of the Church ? *The Churchman*, as well as we, demands obedience to the voice of the Church. Then he must abandon the fiction of an invisible Church, and concede the Church to be a visible, organic body, existing in space and time, with visible organs for the perceptible manifestation of its intentions.

Furthermore, the best legal authorities sustain the analogy of the corporate body to the natural body much more fully than *The Churchman* seems to suspect. Chief Justice Marshall defines a corporation to be, —

“ An artificial body, possessing certain properties ; among the most important of which are Immortality, and, if the expression may be allowed, *Individuality* ; properties by which the perpetual succession of many persons are considered as the same, and act as the single individual.” — *Angell and Ames on Corporations*, p. 2.

Jacob, in his Law Dictionary, as well as Tomlins, in his, defines a corporation (*corporatio*) to be, —

“A body politic, or incorporate; so called, as the persons composing it are made into a body, and of capacity to take and grant, &c. Or, it is an assembly and joining together of many into one fellowship and brotherhood, whereof one is head and chief, and the rest are the body; and this head and body knit together make the corporation: Also, it is constituted of several members *like unto the natural body*, and formed by *fiction of law to endure for ever*.”

Another authority adds, —

“A corporation aggregate [as distinguished from a corporation sole] is an artificial body composed of divers constituent members *ad instar corporis humani*; the ligaments of which body politic or artificial body are the franchises and liberties thereof, which bind and unite all its members together; and the whole frame and essence of the corporation consist therein.” — 1 *Bacon's Abridgment*, p. 500.

The analogy of the corporation to the natural body is recognized and insisted upon by all these authorities. They all go to prove that a corporation, *quoad* corporation, must be an individuality, and possess a central will or unity of volition, together with a head or organ for its expression. The Church, then, since it is conceded to be a corporation, must possess the same; and its whole frame and essence, as a corporation, must consist in its being knit and bound together into one artificial body, with a central will, and unitary organs for expressing and executing it. All this is involved in the very conception of it as a body corporate, or corporation, in distinction from a mere aggregation.

This assumed, we return to our former argument. The separation of one member of the Church from the communion of another, not authorized by the Church in its corporate capacity, is not authorized by the Church at all, and is therefore irregular and schismatic. The antecedent we have proved from the admission of the Church as a corporation, and from the very conception of a corporation itself. The conclusion is evident from the fact, that the Church is one body, and all the

members are members one of another. *Sicut enim in uno corpore multa membra habemus, omnia autem membra non eundem actum habent : Ita unum corpus sumus in Christo*, SINGULI AUTEM ALTER ALTERIUS MEMBRA, Rom. xii. 4, 5 ; and again, *Sicut enim corpus unum est, et membra habet multa ; omnia autem membra corporis cum sint multa, unum tamen corpus sunt, ita et Christus. Vos autem estis corpus Christi*, ET MEMBRA DE MEMBRO, 1 Cor. vii. 12, 27. It is by the intercommunion of member with member, each with each, and each with the whole, that the unity or *solidarity* of the whole is effected and maintained. He that is in communion with a member is in communion with the body ; and consequently, he that withdraws or separates from the communion of the member withdraws or separates from the communion of the body. Therefore, the member separating from the communion of a member, without the authority of the body, is guilty of schism ; for schism is the unauthorized separation from the body.

The separation of one member of the Church from the communion of another, without the authority of the Church, is schism. But the Church of England separated from the communion of the Church of Rome, without the authority of the Church. Therefore, the Church of England was guilty of schism. The Church of England, by confession of *The Churchman*, was not the Church, in the unity and integrity of the corporation, but only a member of it. Admit, what however we admit merely for the sake of the argument, that the Church of Rome was also only a particular Church, and therefore, only a member of the corporation. Yet, to separate from the communion of Rome, according to the principles we have established, was, still, to separate from the Church of Christ, unless the Church of Rome had separated herself, or been separated by a competent authority, from the Church of Christ. But the Church of Rome had not separated herself, nor been separated by a competent authority, from the Church of Christ. Therefore, the Church of

England, in separating from her communion, separated from the communion of the Church of Christ.

We prove the minor by plain historical facts. Prior to the Reformation, the whole Church of Christ, save condemned heretics and acknowledged schismatics, was in communion with the Church of Rome; and no act of the ecclesiastical corporation can be pleaded, cutting her off from the communion of the Catholic body. She possessed and exercised all the rights and immunities incident to an integral member of the Church of Christ.

But you say, that she had separated herself virtually, if not actually, from the Church of Christ, by having corrupted the word of God, and departed from the faith once delivered to saints. By her corruptions and heresies, she had ceased to be an integral portion of the Church of Christ. Therefore, to separate from her communion was not to separate from the Church of Christ.

Admitting the premises, we must of course concede the conclusion. But against these premises we allege, first, that the faith of the Roman Church, prior to the Reformation, was the faith of the whole Christian world, with the exception of condemned heretics and schismatics, not to be counted. If Rome had departed from the faith, the whole Church, *quoad* Church, had departed from it and become heretical, and therefore had failed. But Christ has promised that his Church shall not fail, and given it assurance of exemption from error, in promising it the spirit of truth, which shall lead it into all truth, and to be with it himself all days unto the consummation of the world. But Christ is God, and it is impossible for God to promise and not to fulfil. Therefore, his promise made to the Church could not fail. But, if the promise of Christ could not fail, the Church could not lapse into heresy. Then the Church of Rome, since its faith was that of the whole Christian Church, had not lapsed into heresy, and therefore was not corrupt and heretical, as the argument presupposes.

But, secondly, admitting that the Church of Rome

had become corrupt and heretical, the fact needed to be known and judicially established by a competent tribunal, before any particular Church could have the legal right to withdraw from its communion. The only competent tribunal to take cognizance of the question, and to convict Rome of heresy, which alone could justify separation from her communion, was the ecclesiastical corporation in its unity and integrity, acting in its corporate capacity, and speaking through its official organs. Now the Church of England was not this ecclesiastical corporation, and therefore was not in herself alone competent to establish judicially the fact, that Rome was corrupt and heretical. But she established it by no authority but her own. She then did not establish it by a competent authority. Then she did not establish it at all. Then she had no right to assume it as established, and to make it the basis of her separation. To separate from the Roman communion, before that communion was convicted of heresy by a competent tribunal, was schism, according to the principles established, and which *The Churchman* cannot gainsay. But the Church of England did separate before that communion was convicted of heresy. Therefore, the separation was schism. We see no possible escape from this conclusion.

Will *The Churchman* plead the authority of the word of God, written and unwritten? But no particular Church or member of the Universal Church is the *ultimate* judge of what the word of God teaches. Before he can plead the word of God in his justification, he must adduce a decision of the Universal Church, in its highest judicial capacity, declaring, that, by the word of God, the doctrines of the Church of Rome are heretical. But no such decision was adduced, no such decision can be adduced. Therefore he cannot appeal to the word of God, for such appeal would be a mere begging of the question.

Will he go further, and contend that a *national* council is competent to declare authoritatively the word of God, and to determine what is or is not heresy;

and say, that the national council of England condemned Rome as heretical, and therefore the Church of England was not guilty of schism in separating from the Roman communion? We have too much confidence in his principles as a sound Churchman to believe that he will take this ground; but if he should, we reply, —

1. That it contradicts the acknowledged principles of the Church, according to which it is only a universal council that is competent to declare what is or is not heresy; and a national council, when it goes beyond matters of local discipline, is of no authority, unless its decisions are accepted or assented to by the Universal Church. But, waiving this, we deny, —

2. That the Church of England proceeded by the authority of even a national council. First, no council, provincial, national, or œcumenical, is really a council, unless convened by legal warrant from the chief pastor of the Church. The Church is an independent polity in itself, and in no sense dependent on the civil government. The authority of the council is not derived from the emperor or prince by whose permission or edict it is assembled, but from the official head of the ecclesiastical corporation. The consent or warrant of the prince is essential only so far as concerns the peaceable assembling of the council, and so far as the council may deliberate on matters purely temporal. Now in England, at the time of the Reformation, no legal council was called, for none was called by the consent or warrant of the authority competent to convoke a council. But waiving this, in point of fact, the condemnation of Rome was not pronounced by a council, nor was the separation authorized by a council, but by *act of parliament*. There may have been a convocation, but every body knows that there was no free council. The whole matter was begun, carried on, and completed, by the authority of the king and parliament, an authority unknown to the ecclesiastical corporation. Bishop Jewell, in his *Apology of the Church of England*, says, —

"Neither have we done that we have done *altogether* without bishops, or without a council. The matter hath been *treated in open parliament*, with long consultation, and before a notable synod and convocation."

On which the editor of the edition before us, the present Protestant Episcopal Bishop of the Diocese of Maryland, remarks, —

"Jewell's cause would have been no worse, if it had wanted this plea. The best friends of the Church of England have ever been ready to acknowledge, that it would have been happy, had *parliament* possessed a far less conspicuous share in its reformation. The measure was one of *necessity*; for although the great body of the people, and the principal nobility, were friendly to the reformation, yet a large majority of the clergy retained their attachment to the distinguishing dogmas of popery, and were strenuous in their opposition to the measures which were taken for their suppression. *Left to themselves, they would, in all probability, have quietly relapsed into submission to the yoke of Rome.* LAY INFLUENCE WAS EMPLOYED BY THE PROVIDENCE OF GOD (!) TO EFFECT THE PURIFICATION OF HIS CHURCH."*

Here the great and important fact is admitted. The separation was not by authority of the Church of England, *quoad* Church; for, if left to herself, she would have continued in the communion of Rome. The separation was effected by *lay* influence, an influence, as such, not recognized in the Church of God, which vests the authority, not in the laity, but in the pastors and teachers. The simple fact is, a portion of the laity of England, wielding the civil authority, aided by a few of the clergy, against the wishes and convictions of the *Church* of England, violently separated her from the communion of Rome. Let it not, then, be said, that it was done by a free council deliberately convicting Rome of heresy, and therefore forbidding communion with her. No council ever met in England during the sixteenth century, that would, if free, have passed any condemnation on the Church of Rome. By what

* *Apology of the Church of England.* By John Jewell, Bishop of Salisbury. New-York: 1831. pp. 192, 193.

authority, then, of the Church, has Rome ever been declared heretical, and a solid ground of separation from her communion established? By none at all.

But *The Churchman* goes further, and contends that the Church of England has never separated from the communion of the Catholic Church. "We deny," he says, "that the Church of England has ever separated itself from the rest of the Universal Church; and we deny that the rest of the Universal Church, acting in its corporate capacity, has ever separated from the Church of England." To this we reply, —

1. That the Church of England, in separating from the communion of the Church of Rome, while that Church was, as we have seen it was at the time of the separation, an integral part of the Catholic Church, did separate from the communion of the Catholic Church. So long as the Church of Rome was unconvicted of schism or heresy before a competent tribunal, separation from it was separation from the Catholic Church. But particular churches, according to the acknowledged constitution of the Church, intercommune through their bishops or chief pastors. Consequently, to withdraw from the communion of a bishop or chief pastor is to withdraw from the communion of the Church over which he presides. But *The Churchman* confesses that the Church of England did separate from the communion of the *Pope* or *Bishop* of Rome. Therefore, it separated from the communion of the *Church* of Rome. Therefore, again, it separated from the communion of the Catholic Church, of which the Church of Rome was an integral member. But we reply, —

2. That, whether by her own act or that of the Universal Church, the Church of England is separated from the communion of the Catholic Church. *The Churchman*, we presume, will not contend that his Church is in communion with the non-episcopal Churches, whose orders it does not recognize. It certainly is not in communion with the Church of Rome, or with any of the particular Churches, such as the Spanish, the Gallican, the German, &c., which recognize the authority of the

Holy See. Nor is it in communion with the Greek Church, the Armenian, the Nestorian, or any of the Eastern Churches, which are not in communion with Rome. There is no Church that intercommunes with the Anglican. As a question of fact, it is a solitary Church, extending communion to, and receiving it from, no other Christian body on earth. Now, of two things, one: Either the Church of England, as existing in the British dominions and in this country, is the one Holy Catholic Church, the Church corporation in its unity and integrity, or it is a body distinct and apart from the Holy Catholic Church. It is not the first, by the confession of *The Churchman*, and of all Anglicans, none of whom dare call it the whole Catholic Church, or pretend that it is any thing more than a part, a branch, of the Catholic Church. It is not a part or branch, because the parts or branches all intercommune, and it, as we have seen, communes with no ecclesiastical body but itself. Then we are forced to adopt the second conclusion, that it is a body distinct and separate from the Holy Catholic Church.

Now, it matters not whether this separation be by her own act, or by that of the Catholic Church. She is in either case alike a schismatic body. If she has separated herself by her own act, she is guilty of schism; and if she has been excluded from the communion of the Catholic Church by an act of the Catholic Church, she has been excluded by the competent authority, and is schismatic by judgment of the Universal Church. How will the Church extricate herself from this dilemma? It is in vain that she attempts to deny the fact of the entire separation between her and all other Churches extant, for the fact of such separation is unquestionable; and this fact proves of itself, either that she is the one Holy Catholic Church, or no part of it.

Will *The Churchman* contend that the separation does not really exist, because there can be pleaded no formal act of the Church of England separating herself from the communion of other Churches, and none of

other Churches separating themselves from hers? We reply, first, that a formal act to this effect is not necessary. The separation exists as a *fact*, and is acquiesced in by the whole body of the Anglican Church, which is *primà facie* evidence of her approval of it. It is acquiesced in, assented to, by all other Churches, which is all that is needed on their part. The universal acquiescence or assent of the whole Church is always taken and deemed to be the decision of the Church.

But we reply, secondly, that it is *not true* that there is no formal act, on the part of England, of separation from the Catholic Church, and that there is none on the part of the Catholic Church cutting her off from the Catholic communion. She herself, as an integral member of the Catholic Church, declared the Greek Church to be in a state of schism, and therefore could not commune with her, after her separation from Rome, without being guilty of schism by her own judgment and confession. The same may be said, so far as concerns all the Eastern Churches condemned as heretics or schismatics prior to 1534, when she formally broke with Rome. By the formal act of her parliament, in 1534, when she abolished the authority of the Pope, not in temporal matters only, but also in spiritual matters, and made a layman the supreme head of the Church in all matters, spiritual as well as temporal, she formally separated herself from the communion of Rome, and from all the Churches continuing in that communion. Then, on the other hand, nobody can deny that she is, if not by name, at least in fact, condemned, and cut off from the communion of the Catholic Church by the Council of Trent, accepted, so far as the present question is concerned, by all the Churches, except those whom she herself had, prior to her separation, condemned or disowned as heretics or schismatics. If the Catholic Church existed anywhere out of England, it was represented in the Tridentine Council, and expressed its judgment in that Council, either then formally, or since virtually, by accepting its decrees. But it did exist out of England by her own confession. Then, inasmuch

as she was virtually condemned in that Council, she has been condemned by the Catholic Church.

But perhaps *The Churchman* will contend, that his Church is in communion, if not with existing ecclesiastical bodies, at least with the primitive Catholic Church. The Church is catholic, in time as well as in space ; and the body in communion with the primitive Church is by that fact in communion with the Catholic Church, although it should not be in communion with any other extant body. But the Church is a body corporate, and must needs exist, if catholic, in time as well as in space, *as a perpetual organic body*. It can never disappear from the earth as an organic body. That body which remains in communion with the primitive Church continues and perpetuates it by regular succession. If the Church of England do this, it is the Catholic Church, and it, and such particular bodies as are in communion with it, are not only Catholic, but the whole Catholic body. This argument, then, proves nothing, for it proves too much. It proves that the Church of England is the Catholic Church in its unity and integrity, which is more than she claims. She must either say boldly, that she is the one Universal Church, or abandon this argument, and admit that she is no part of the Universal Church.

We stated in our former article, that the Church of England was not competent to sit in judgment on the Church of Rome and her bishop, because Rome and her bishop were the acknowledged centre and head, under Christ, of the ecclesiastical corporation. To do so would be for the part to sit in judgment on the whole, which is not allowable ; and furthermore, the Church of England could not be legally convoked as an ecclesiastical court without the authority and consent of Rome and her bishop. Whether this was the original constitution of the Church or not, such had been its constitution for many ages, and no authority below that of the Universal Church was competent to set it aside, or to adopt a new constitution. *The Churchman* appears to have felt the force of the

argument; and therefore denies positively, that the Church of England "has ever sat in judgment, not merely on the Church Universal, but even on the Church of Rome, or refused its communion." We are not a little surprised at this statement. We presume *The Churchman* will not quibble on the fact, whether it was the *Church* of England, or the *Parliament*, that adopted the Thirty-nine Articles. In strictness, we own they were imposed on the Church by lay authority; but the Church, in accepting and subscribing to them, made herself responsible for them. Now, in these articles we find several very positive condemnations of the Church of Rome. We read in the nineteenth article, "As the Church of *Hierusalem, Alexandria, and Antioch* have erred, so also the *Church of Rome* hath erred, not only in their living and manner of ceremonies, *but also in matters of faith.*" Here is a judgment rendered. Again, article twenty-two: "The *Romish* doctrine concerning purgatory, pardons, worshipping, and adoration, as well of images as of relics, and also invocation of saints, is a fond thing, vainly invented and grounded upon no warranty of Scripture, but rather repugnant to the word of God." Is not here a judgment of condemnation of the Roman communion?

Does not the Church of England *refuse* the Roman communion? What communion has there been between the two Churches since the days of Elizabeth? Does the Church of England recognize the ecclesiastical authority of Rome, or Rome that of England? Do the bishops of one Church receive "the letters dismisyory of the bishops of the other"? Not at all. Nay, the Church of England in her 27th canon, by implication, at least, declares all adherents to the Roman communion schismatics, and forbids the minister from communicating to them the sacrament of the Lord's Supper. The Church of England has never refused the communion of Rome! If so, would King James, the British Solomon, the supreme head of the Church of England, have discoursed in the following manner?

"As I have said in Parliament-house, I can love the person of a Papist, being otherwise a good man and honestly bred, never having knowen any other religion; but the person of an Apostate Papist I hate. And surely for those Polypragmaticke Papists, I would you would studie out some severe punishment for them; for they keepe not infection in their owne hearts onely, but infect others, our good subjects. And that which I say for *Recusants*, that same I say for *Papists*. I confesse, I am loth to hang a priest [a Roman Catholic] onely for religion sake, and saying masse; but if he refuse the Oath of Allegiance (which, let the Pope and all the devils in Hell say what they will) yet (as you finde by my booke and by divers others, is merely civill) those that refuse the Oath and are Polypragmaticke Recusants; I leave them to the law; it is no persecution, but good justice.

"And those priests, also, that out of my Grace and Mercie have been let goe out of prisons, and banished, upon condition not to returne; aske mee no questions touching these, quit me of them, and let me not heare of them: And to them I joyne those that breake prison; for such priests as the prison will not hold, it is a plaine sign that nothing will hold them but a halter. Such are no Martyrs, that refuse to suffer for their conscience. *Paul*, notwithstanding the doores were open, would not come forth. And *Peter* came not out of prison till led by the Angel of God. But these wil goe forth, though with the angel of the Divell." *

If the Church of England accepts the Roman communion, why has she kept, and why does she still keep up, an independent church establishment in Ireland, at an enormous expense, and to the great vexation of the immense majority of the Irish people? Really, *The Churchman* is joking us, and trying to see how we shall contrive to prove what is as obvious to all eyes as is the fact that the sun is round.

"What order of the Universal Church," asks *The Churchman*, "has the Church of England ever violated?" We answer, she has violated the order of the Universal Church itself, by bringing the spiritual corporation into subjection to the civil; which she did when

* "*His Majestie's Speach in the Starre-Chamber, the xx. of June, Anno 1616.* Imprinted at London, by Robert Barker, Printer to the King's Most Excellent Majestie."

she made the king, the civil ruler, a layman, supreme head of the Church, and conferred on him, not only the management of Church temporalities, but supreme authority in spirituals also, as was done by act of Parliament, in its session from November 3 to December 18, 1534, substantially confirmed under Elizabeth in 1559, ordained in the first canon of *The Constitutions and Canons Ecclesiastical* of the Church of England, and proclaimed by James the First in his preface to *The Book of Common Prayer*, in 1603. By this, the independence of the Church as a body politic, complete in itself, is destroyed, and the exercise of pastoral functions, necessary to its very being, is made to depend on the good-will and pleasure of the prince. No bishop can be chosen in the Church of England without a *cong   d'  lire* from the king to the chapter, or consecrated without his permission, or have jurisdiction but according to his pleasure. Is this compatible with the constitution of the Church as an ecclesiastical corporation? Is this according to primitive usage? Did the Apostles recognize the authority of the Roman emperor, in choosing and consecrating bishops, and in conferring on them spiritual jurisdiction? The most that the Church has ever conceded to princes, the most that it ever can concede without being suicidal, is to permit them to put the bishop into the possession of the temporalities of his see; and even this, which leaves the spiritualities untouched, is quite too much. It is true, the prince may have endowed the see; but the endowment, when made, becomes a vested right of the Church, and ought to pass under the exclusive control of the spiritual authority, the temporal power having rightfully no authority in the matter, but simply that of protecting the Church in the peaceful and full possession and management of it. But, even admitting that the temporal power may retain the control of it, or may even resume it, without breaking the order or constitution of the Church, it assuredly cannot go further, and claim authority as to the persons who shall exercise spiritual jurisdiction, or to prescribe the condi-

tions on which spiritual jurisdiction shall be exercised, without striking at the very foundation and existence of the Church as a corporation complete in itself.

The Church of England has also broken the order of the Universal Church, by declaring herself, as an ecclesiastical polity, independent of the Universal Church; which she did when she threw off the authority of Rome, and prohibited the recognition of any authority, spiritual or temporal, not within the realm. For the Church is a single corporate body, one and catholic, not an aggregation of separate and independent ecclesiastical polities. She broke the unity of the corporation by asserting the principle of Independence; for, if the corporation be a single corporation, it can have only a single government, which must ramify through all the members, in due subordination, from a common centre, binding them all into the unity of the body. This fact is of itself decisive, and alone convicts the Anglican Church of schism.

The Church of England has, furthermore, broken the order of the Church in its rejection of the authority of the archbishop of Rome as *primate* of the Western Churches, of which we are not aware that it has ever been denied that the Church of England was one. What were the rights and immunities of the primate may be somewhat uncertain; but it is evident from the sixth canon of the Council of Nice, whatever view we may take of that canon, that the primate had some authority over the Churches within his jurisdiction. But the Church of England threw off *all* authority not within the realm, and therefore rejected the authority of the archbishop of Rome as Primate no less than as Pope. This is so obvious to all who know any thing of what is called the English Reformation, that the assertion of *The Churchman*, and the authorities he quotes to prove that the Church of England still admits the primacy of Rome, are without force, and we are not a little startled to find any Anglican divine pretending to the contrary. If the primacy means any thing more than the chief place in the procession, —

and that it is a primacy of authority, not of mere order, the sixth canon of the Council of Nice fully establishes, — we all know that the Church of England has rejected it, and she has even in fact rejected it as a simple primacy of order, and ought to reject it, to be consistent with herself, since she officially in her *Homilies*, and semi-officially in Jewell's *Apology*, treats the Pope as *Antichrist*. We have no doubt that many members of the Anglican Church deeply regret their state of ecclesiastical isolation, and would gladly return to the communion of Rome, and accept, not the primacy merely, but also the papacy; but it is hardly laudable in them to attempt to deceive themselves or others by concealing or disavowing facts which stand recorded against them.

The Churchman asks again, "What definition of faith the Church of England has ever rejected." She has rejected Transubstantiation, and, in point of fact, the *Real Presence*. We are not ignorant of what the Oxford divines allege on this point, but we appeal to the symbols of the Church herself. She admits no change in the elements, which remain after consecration bread and wine as they were before; and the only presence of Christ she admits at all is not, strictly speaking, a presence of Christ in the sacrament, but in the soul of the faithful communicant. The faithful, indeed, partake, in a mysterious manner, of the body of Christ; but to the wicked, as we collect from her Articles, Catechism, and Homilies, there is no presence of the Lord's body, but the mere outward sign of the sacrament, to wit, the bread and the wine; and, consequently, the wicked who partake of these are not to be condemned for eating unworthily, not discerning the Lord's body, since it would be absurd, nay, unjust, to condemn them for not discerning the Lord's body where not present. She rejects also the sacrifice of the Mass, deprives herself of both altar and victim, and of the means of replenishing her divine life at its Infinite Source. She rejects five out of the seven sacraments, and mutilates the two she retains. She rejects the

Catholic doctrine of works, prayers for the dead, purgatory, reverence and invocation of saints, &c.

But we did not, in our argument, charge the Anglican Church with heresy, but with schism. We of course believe the Church of England to be heretical as well as schismatic, and though we do not look upon her as having lapsed so far into heresy as some of her sister Protestant Churches, yet we are far from holding her sound in the faith. But on this point we have, for the present, no controversy with *The Churchman*. We will willingly consent to discuss this point hereafter; but at present we will consent to no new issue. Our objections to the Anglican Church were not based on its supposed unsoundness in the faith. We charged it with being schismatic, which it may well be without being heretical. Nor did we, in fact, charge it with being *absolutely* schismatic, but only so in case we adopt the principles of the Oxford divines, that the Church is a corporation, and, therefore, must needs be one in the unity of the corporation, and then in its corporate authority, as well as one in the unity of faith and charity. Now, if the Church be a single corporation, that is, a single body corporate or politic, as it must be if it is one corporation, and not an assemblage of corporations, the Anglicans, in breaking the unity of the corporation, and declaring their Church an independent corporation, as we all know they did, were guilty of schism. Now, is the Church a corporation, or is it not? Is it a single corporation, or is it an assemblage or collection of distinct and independent corporations? If you say the latter, you deny the unity of the Church as a corporation, and assert Independence, which, in principle, is repugnant to all ecclesiastical authority, to the Church itself as an authoritative body. If you say the former, then is the Church of England this ecclesiastical corporation, or is it not? It is not, by the confession of *The Churchman* itself. Is it, then, a member of that corporation? We answer, it is not a member. It can be a member only on condition of being joined to the body, and participating in its authority. The government of France is not a

member of that of Great Britain, nor the government of Great Britain a member of that of France, because they are two distinct, independent governments, and neither participates in the authority of the other. But the Church of England is a distinct, independent polity, participating in the authority of no other body, and holding communion with the authority of no body but itself. It, therefore, is not a *member* of the Catholic body. It, since it is an independent body, either is that corporation in its unity and totality, or no part of it. It is not it, and therefore is no part of it, but another and a totally distinct body. This is the inevitable conclusion to which we must come, if we adopt the doctrine that the Church is a single corporate body. Now, it is to this point we wish *The Churchman* to confine his attention; to the argument we have here summed up, we wish him to reply. We tell him that the claim of his Church to absolute independency as an ecclesiastical polity negatives its claim to be a *member* of the ecclesiastical corporation; and as he himself concedes that it is not the Church in its unity and totality, we demand of him to show us how it can be other than a totally distinct and separate body from the Church of Christ, without denying the unity of the Catholic Church as a body corporate, and asserting the principle of Independency, which he must concede to be destructive of all rule and of all unity of the governing body. When he has answered this demand, we will go into the question of heresy, and discuss the question, whether his Church is sound in the faith or not, to his heart's content.

Our limits do not permit us to remark on all the statements in *The Churchman's* reply to us, that we could wish to notice; but there is one statement of so extraordinary a character, that we cannot let it pass without comment.

"As to appointments and investments," he says, "it should be remembered that the Church of England made no *new law*, and asserted no new liberty, at the time of the Reformation; the parliamentary statutes on this subject being merely declarative of old laws which had been continuously asserted in almost every successive reign, from the time when the exercise of these

powers in England was first claimed by the Pope. Neither is it correct to say, that, in revoking these powers from the court of Rome, the Church of England yielded them to the temporal power as such ; for the representatives of the temporal power were then a portion of the Church, and, in suffering appointments and investments to revert to the crown, the Church of England did no more than acknowledge the element of lay co-operation in the management of Church temporalities."

This statement opens up a great subject, into the discussion of which we cannot now enter. We can only remark, that it is hardly true, to say that the Church of England made "no new law, and asserted no new liberty, at the time of the Reformation." The old laws, to which allusion is made, were, in the first place, never assented to by the Church ; and it may be a question, whether, the connexion of the Church with the state then existing considered, the protest of the Pope was not sufficient to destroy their force as laws ; and, in the second place, they were never executed, but had been suffered from the first to remain on the statute-book a mere dead letter. They had never been laws in force in the realm. They were merely acts of the temporal government, and could, therefore, have been rightfully enforced, even at best, only so far as they concerned the temporalities of the Church. The temporal government never had in England, or in any other country, the right to make laws touching the spiritualities of the Church. But these laws did touch the spiritualities of the Church, and were therefore, so far at least, null and void from the beginning, *de jure*, as they proved to be *de facto*.

The Churchman does not state the case correctly, when he says, that, "in suffering appointments and investments to revert to the crown, the Church of England did no more than acknowledge the element of lay co-operation in the management of Church *temporalities*." We surely need not tell him that investment carries with it spiritual jurisdiction. It was on this fact that the Pope grounded the right of the spiritual government to invest, and denied it to the temporal government. If the temporal government grant investiture, it confers

spiritual jurisdiction, which gives it complete control in spirituals as well as in temporals. To say that the giving of this right to the crown was merely acknowledging "the element of lay coöperation in the management of Church *temporalities*," is an assertion hardly compatible with a correct knowledge and faithful statement of the real points involved in the controversy.

But we have no space left us for further remarks. We confess, that, the more closely we examine the claims of the Church of England, the more untenable we find them. We had almost worked ourselves into the desire to connect ourselves with that Church; and we are not certain but we should have so done, had it not been for the Letters of Bishop Hopkins, which we found ourselves unable to refute on Anglican principles. We confess that Bishop Hopkins appears to us to be true to his Church, and to interpret her constitution and doctrines according to the genuine principles of its founders. His brethren, who differ from him, have more with which we sympathize than he has; but they are, in our judgment, less faithful to Anglicanism. They would fain have us receive their Church as Catholic, and disingenuously in their publications call it Catholic; but it is a *Protestant Church*, Protestant in spirit, in doctrine, in position, and in name, and we cannot reconcile it to our sense of honesty and frankness to seek to call it by any other name. It seems to us ridiculous to call it *Catholic*.

Even *The Churchman* itself calls its Church "*The Reformed Catholic Church*," which admits its fallibility; for if it had not been fallible, it could never have needed reforming; and being fallible, who shall assure us that it may not need reforming again? This is enough for us. We have been forced by our own errors, mistakes, misapprehensions, self-contradictions, and frequent changes of opinion on all subjects, even the most vital, to admit that our own reason alone is not adequate to settle the great questions which concern our peace and salvation. We must have a guide, but do not mock us with a fallible guide. Talk not to us

of a church, unless you have an *infallible* church to offer us. We have followed a fallible guide long enough. We believe Christ did found an infallible church, rendered infallible by his perpetual presence and supervision. To that church we willingly yield obedience. But your church is not it ; for yours, by your confession, is fallible. We have, therefore, been obliged to look beyond Anglicanism, to a church which at least claims to be infallible, and which demands our obedience only on the ground that it is infallible.

Believing, as we do, that the Church of Christ is infallible, and authoritative because infallible, we have no sympathy with those who seek to restrain its authority as a body politic. It is a kingdom supreme and complete in itself, established and endowed by Christ, its Founder and invisible Governor, for the express purpose of governing mankind. All attempts to control it, to restrain its free action, or to bring it into subjection to any authority foreign to itself, we look upon as treason against the Eternal King, and as a betrayal of the true interests of man and society. All such attempts are wrong in principle, and necessarily disastrous in their results, of which the history of the Greek and Anglican Churches affords us striking proofs. Let civil governors and temporal princes learn this, and cease from their insane warfare against the Lord and his Anointed. It was the madness of the court of Constantinople that drew the Greek Church into schism, and ruined the Eastern empire, or at least deprived the Church of the power to convert its conquerors. It was the mad ambition of European princes, seeking to make the Church their tool, that fostered the spirit which effected the Protestant schism, which, however much its children may sing its praises, has already proved a serious calamity, and will yet be looked upon as the severest curse that could have befallen the nations involved in its guilt.

Nor have we any sympathy with the war of *The Churchman* against the papacy, and, whether we find few Romanists or many to go with us, we would not

destroy the papacy, nor lessen in the least the power of the Pope, if we could. We dare be known to be one of those who believe that the papal authority is none too great ; and we fully believe, if the all but martyred Gregory the Seventh had succeeded in securing to the Church the independence he asserted, and for which he struggled through life, a far different and a far happier world had been realized for us and our children. We fear not the power, but the weakness, of the papacy ; and we have no sympathy with those who would make the Pope a mere presiding officer, and only allow him the place of honor at the feast, or in the procession. We find Anglicanism more objectionable in its rejection of the papacy than in any thing else. This was its primal sin, its mother error, from which has come, as a natural progeny, its whole brood of errors. Had it not been for the papacy, the Church, humanly speaking, had failed long ere this. In the institution and preservation of the papacy, we see the especial providence of God. We shrink not from the abused name of Papist ; and we only regret that the ambition and wickedness of civil rulers have been able to prevent the papacy from doing all the good it has attempted. No man must think to frighten us by the cry of "Popery." Happy are we to acknowledge the authority of the Holy Father ; more happy shall we be, if we can so live as to secure his blessing.

We have spoken freely to the editor of *The Churchman*, whom we respect as a man and a theologian. We await his reply.

ART. IV. — "*A Tariff for Revenue, with Discrimination in Favor of Protection.*"

WHILE we are in the midst of an important presidential election, it may be thought to be an ill moment for the discussion of great questions of government or

legislation ; but ill as the moment may be, we cannot refrain from offering a few remarks on the Protective Policy. We were led, by information on which we supposed we might rely, to assert in our last Number, in the article on *The Presidential Nominations*, that Mr. Polk, the Democratic candidate, was "sound in his political views," which of course meant that his political views accorded with our own ; but we now find, from a letter of his, written and published since his nomination, that, though opposed to the present tariff, he is in favor of a tariff which discriminates in favor of home industry.

We shall probably give Mr. Polk our vote, for we believe he possesses high executive talents, and his views on the Bank and Texas questions are sound, and nothing would be gained to the country or to Republicanism by opposing him ; but we owe it to ourselves, and to that portion of the Republican party whose views we may be supposed to represent, to protest against his doctrine of discrimination for protection. We see no sense or justice in opposing the Whigs for their protective policy, if we are to adopt, in principle, the same policy. The father of the so-called "American system" contends simply for "a revenue tariff, with discrimination in favor of home industry"; and Mr. Polk, if we understand him, also contends for "a revenue tariff, with discrimination in favor of home industry." Where is the difference? A revenue tariff, with discrimination for protection, is also a favorite cry with not a few of our leading Democratic journals ; and some of them go so far as to claim the merit to their own party of having passed the present iniquitous tariff, because a few traitors to the party and the country voted for it. Now, we wish to know, if the Republican party is in favor of the protective policy ?

"O, no! the Republican party is opposed to the Whig policy of a protective tariff, and in favor only of a revenue tariff, which shall discriminate in favor of protection." But this is precisely the Whig policy, and what Mr. Clay himself says. "O, but the Whigs are in

favor of protecting only one or two interests, and we are in favor of protecting *all* interests alike." But, my dear friends, with your leave, this is nonsense, and you cannot ask us to believe that you really hold it to be possible to lay a discriminating tariff which shall afford a positive protection to all the leading interests of the country. Protection is afforded to one interest only by means of a direct or indirect bounty which the government grants it; and this bounty must be obtained by the imposition of a tax on some other interest or interests than the one protected. It is absurd to talk of protecting all interests alike. This our Democratic friends know as well as we. Why, then, do they use this language?

We have been abused for our want of confidence in the people; but we will assure our traducers that we have never yet so wanted confidence in the people as to be afraid to trust them with our honest convictions; nor have we ever yet felt that it was necessary to amuse them with sophisms, or to undertake to cheat them into the support of truth and justice. It is not we who want confidence in the people, but they who dare not avow their honest convictions to the people, and, to call things by their right names, those anti-tariff men, who are afraid, if they avow the policy they believe the true one, the people will go against them. We are not a little impatient with this unfair dealing with the people. We, as one of the people, demand on the part of all men, no matter how high or how low, frankness and honesty; and especially do we demand of the politician who solicits our suffrages a plain, honest, frank statement of the policy he really and truly approves, and wishes to see adopted. We despise the meanness, we detest the wickedness, of attempting to get into power by false pretences, by double dealing, by concealing our views, or using language which permits the inference, that we are in favor of one thing, while we are really in favor of another. Success by such means is more dishonorable, more fatal, than defeat. Better to be defeated fighting for your principles,

than to succeed by abandoning them. Politicians, as well as other folks, have great need to learn that honesty is the best policy, ay, and that there is a Moral Governor who will not suffer the wicked to prosper, who will confound the wisdom of the crafty, and bring to naught the counsels of the ungodly.

The so-called "American system" is the most iniquitous and ruinous policy it is possible to devise. It is evil in its inception, in its progress, and in its termination. No good does or can result from it to any section of the country, or to any individual at home or abroad. We are much mistaken, if this is not the real belief of the great body of the Republican party; and yet not a man, or hardly a man of them, north of Mason and Dixon's line, will venture to say so. Presses, conducted by high-toned free-trade men, will talk about "discrimination in favor of our own industry," "a judicious tariff," "a tariff which protects all interests alike." Now this is really too bad. Has it really come to this, that men are so greedy of office, so eager to share in government plunder, that they are willing to accept office at the sacrifice of their principles? Has it come to this, that we have no principle but to get into office if we can? We fear that it has; we fear that honesty has no resting-place in the hearts of political aspirants, and that love of plunder has completely expelled the love of country. If so, what hope is left us? what good is there for us? what do we lose by defeat? what do we gain by success?

We have been deeply grieved at Mr. Polk's letter. We had hoped, that, with Mr. Van Buren, the "betwixt and betweenity" policy he had represented for so many years would retire to the shades of Lindenwold, and that henceforth we should be at liberty to adopt an open, manly, straight-forward policy, alike creditable to the leaders of the party, and beneficial to the country; but we fear that we have gained little by the exchange. We have, we fear, only another disciple of the same school, and that the same old demagogical dynasty is to be renewed and perpetuated; the same

dread of open, honest avowals, the same want of confidence in the people, the same crooked, serpentine policy, which caused us to be hurled from power with such overwhelming indignation in 1840, are to be again our characteristics. We are afraid that we are likely to prove, as a party, that we cannot profit by experience, and can learn no wisdom from defeat. We have not read, we have not heard, during the canvass, thus far, a single noble sentiment, or a single manly appeal. The whole canvass has been conducted in a tortuous manner, by low and demoralizing appeals, disgraceful to the actors, and deadening to the public conscience. We justly merit the wrath of Heaven; and should we fail, it would be only a righteous judgment upon us for our want of firm principle, nobility of soul, confidence in the people, and fidelity to the sacred cause intrusted to our keeping.

We hope we shall be pardoned the freedom with which we speak. It is no pleasant task to find fault with one's political friends, but there are times when it is necessary to do it. The Republican party has nothing to fear from without, if it will but keep itself pure within. It never loses ground but by its own fault. The majority of the country is with it, and will sustain it, if its leaders will be honest and faithful, liberal and high-minded, bold, manly, and patriotic. But, if they resort to petty shifts, to miserable expedients, to contemptible sophisms, and talk one kind of language for one set of people, and another for another, now blowing hot, and now blowing cold, now saying yes, now no, and now yes and no, they will fail, and the glorious experiment of popular government will fail with them.

We trust that our views are too well known for us to be suspected of favoring the wild notions of free trade, advocated by the late William Leggett and others. We are no friends to what has been aptly termed the Let-us-alone policy. We believe in government, in the permanent necessity of government, in a *strong* government, able to speak with authority, to command, and to enforce its commands. Of all evils that can befall a country, a

weak government is one of the greatest. Nor do we believe that it is never proper or necessary for government to interfere in the business affairs of individuals, or to attempt to give a new direction or a new stimulus to industry, or to a particular branch of industry. We do not base our opposition to a protective tariff on the ground, that individuals are the best judges of their own interest, and that free competition among individuals is the best and surest means of national and individual prosperity. We are no believers in the sovereign virtue of free competition. In our judgment, the common reasoning on this subject is fallacious, and competition is productive of immense evils, if, indeed, of some good. There are times and cases when government is needed to control it, to set bounds to it; when the government itself should take the initiative, and assume the direction. There may be a branch of industry of great national importance, which would be wholly neglected, if the government should not adopt measures to induce the citizens to cultivate it; but which, when once fairly engaged in, will yield ample returns, and open new sources of wealth and independence to large masses of the people. But, if it is a branch of industry that needs more than a *temporary* protection from the government, it is not one of those which should be protected; because, if it cannot flourish without a *permanent* protection, it is evidently unsuited to the country, and can be prosecuted only at a national outlay, for which no adequate return can be made.

Yet, in our own country, the initiative and direction of the government in industrial operations can rarely, if ever, be necessary; because, here, such is the activity and enterprise of our citizens, that they stand in no need of a stimulus from government, but will, of themselves, seek out and carry on every industrial enterprise by which either national or individual prosperity may be promoted. And if not, the only stimulus or protection to be demanded from the government must be demanded of the State governments, not of

the Federal government. The State governments have the constitutional right to protect and foster industry, and this is one of their chief duties. But the Federal government has no right to meddle with the subject. It is a compact between the States, formed for certain express purposes, and necessarily, by the very condition of its existence, limited in its action to those purposes. We cannot first determine what citizens have the right to demand of government as such, and then go and demand it of the Federal government ; for it is a special government, having only certain special powers, and by no means the general powers of government. We have the right to demand of it only what it has the right to do ; and it has the right to do only what it was expressly created for the purpose of doing. The Federal government differs from government properly so called, in the fact, that it is founded in compact, and is therefore restricted in its powers to the express terms of the compact. It is not, strictly speaking, a government at all, but an *agency*, which certain independent governments have created for their common convenience and common weal. It is therefore subject to the authorities which created it ; whereas, government, properly so called, is itself supreme, and gives the law, instead of receiving it. This makes a wide difference between the Federal government and the State governments, — a difference not merely specific, but generic. The powers of the latter are all the powers that belong to government, while the powers of the former are only the few which are expressly delegated to it ; and these it possesses not inherently in its own right, for they still vest in the State governments, which have merely, by their ratification of the Federal Constitution, enacted that they shall be exercised by a common delegation from all the States.

We mean not, by saying that the Federal government is restricted to express powers, to say that it has no *incidental* powers. It has incidental powers ; but the incidental powers can be exercised only for the purposes expressed in the substantive powers. The end for

which the incidental power is exercised must always be the end specified in the substantive power; for any power claimed to be incidental, not necessary to carry into effect the substantive power, cannot be said to be an incidental power. For, the moment it is a power to effect any other end, it ceases to be incidental, and becomes substantive; and then, if not expressed in the Constitution, it is unconstitutional, and not lawful to be exercised.

Now, the power to lay a tariff for the protection of any branch of industry is not a substantive power in the Constitution, as is agreed on all hands. Consequently, a tariff laid for the express purpose of protection would be unconstitutional. The substantive power touching a tariff is the right to impose a tariff for revenue, and for revenue alone. The incidental power is the right to discriminate, but to discriminate only for the general purpose of the substantive power, — namely, revenue. To discriminate in favor of protection would be to contemplate an end not contemplated in the substantive power, and, therefore, to convert the incidental power into a substantive power. The right to discriminate in favor of protection, as incidental to the right to impose a tariff for revenue, can be claimed only on condition, that to discriminate for protection and to discriminate for revenue are one and the same thing. But to discriminate for protection is to discriminate *against* revenue. Therefore, the right to discriminate for protection cannot be an incident of the right to impose a tariff for revenue.

Here is the error of our Democratic as well as of our Whig politicians. The Whigs care nothing for the Constitution, and are not to be affected by a constitutional argument. Their principle is, to praise the Constitution in words, and to disregard it in their deeds. But our Democratic politicians do retain some reverence for the Constitution. They see clearly, that a tariff expressly for protection would be unconstitutional; but they do not seem to see with equal clearness, that a tariff incidentally for protection is equally un-

constitutional ; for they do not seem to be aware, that a tariff defeats its substantive purpose of revenue just so far as it incidentally discriminates effectually for protection. A protective tariff, we all know, is repugnant to a revenue tariff, and defeats revenue just so far as it is really protective. Then, a tariff discriminating for protection is repugnant to a tariff for revenue, just so far as its discrimination is really protective. Discrimination for revenue proceeds on principles directly opposed to the principles on which proceeds discrimination for protection. This is a fact which should never be lost sight of.

A protective tariff, if true to the purpose for which it is imposed, must needs be restricted to such foreign articles as come into competition with similar articles, the growth or manufacture of our own country ; but a revenue tariff, if true to its purpose, must not be so restricted, but must be lighter on these articles, and heavier on those articles which enter largely into the consumption of the people, and which are obtained only from abroad. The protective tariff must, as far as possible, shut out foreign importations, and secure the home market to the home producer ; the revenue tariff must by no means shut out foreign productions, nor check importations, *beyond the point where the increased rate of duty will not compensate for the diminished imports*. In discriminating, that is, in laying a heavier duty on some articles, and a lighter duty on others, the same principle must be observed. A protective tariff lets in tea, coffee, and such articles as are not the growth or manufacture of this country, free of duty, or at a merely nominal duty ; while it imposes a heavy tax on cottons, woollens, iron, &c. A revenue tariff reverses this, and taxes the first class of articles more heavily than the last, because, by so doing, it obtains *the greater amount of revenue at the same average rate of duty*. It is obvious, then, that a revenue tariff, discriminating in favor of our own industry, is unconstitutional and suicidal. Unconstitutional, because there is no substantive power in the Constitution to im-

pose a tariff for protection ; and suicidal, because so far as protective it defeats revenue. This is conclusive.

We regret, therefore, to hear so many of our own political friends exclaiming, "A revenue tariff with a wise discrimination for protection." Such a tariff is an absurdity, and the cry tends to deceive, to produce a false impression, to pervert the good sense of the public, and to render it impossible for the friends of sound views on the subject to obtain a fair and candid hearing. We tie up our own hands, and seal our own lips, and can henceforth neither speak nor labor for the truth. Instead of enlightening the public, and correcting the false notions the protectionists industriously circulate, we contribute to confirm those notions, and suffer the people to be misled. We do immense harm by this false doctrine ; by seeming to countenance this false doctrine, we deprive ourselves of nearly all opportunity to labor for the true doctrine.

Nor less fallacious is this other watchword which some of our political friends have adopted, — "The equal protection of all the great interests of the country." If this were merely an electioneering device, got up to counteract an opposing battle-cry, we would let it pass ; for we have no great disposition to interfere with the manner in which politicians manage elections. Still, we may say, in passing, that we regard all such devices as discreditable to those who get them up, and insulting to the people. "Soldiers of fortune" and fourth-rate politicians have a natural fondness for them, but rarely, after all, profit by them. If your cause will not stand on its own merits, bear to be stated openly, honestly, and to be advocated for what it really is in itself, your only wise course is to abandon it. Be ashamed to advocate measures you cannot avow, especially if you are one of those who make great professions of confidence in the virtue and intelligence of the people. But this is not merely an electioneering device. Hundreds and thousands are deceived by it. We do not suppose that the authors of it are deceived. In their understanding of it, it is tantamount to the cry of "No

special protection at all." But the great mass of the people, when they find men, judged to be worthy of being the candidates of a great and leading party for the presidency, apparently contending with all seriousness that all the great interests of the country should be protected alike, will not understand that it means, that the special protection now afforded to the manufacturing industry should be withdrawn, but that a similar protection should be extended to all other branches of industry ; which would be very much, if it were possible, like a realization of the Whig promises in 1840, — that, if the Whigs came into power, all buyers should be able to buy cheap, and all sellers to sell dear !

The proposition to afford a positive protection to all the great industrial interests of the country is, as we have said, an absurdity ; for protection is, directly or indirectly, a bounty to the protected interest, and government has nothing to give in the shape of a bounty to one interest except what it takes from some other interest or interests. The government would encourage the manufacture of woollens, and therefore lays a duty on them when imported. But it must protect all interests alike ; so it lays another duty on foreign wool, which, by increasing the cost of the raw material, neutralizes, as far as it goes, the benefit the manufacturer derives from the duty on woollens. The government imposes a duty on foreign silks, to encourage the domestic manufacture ; and then destroys it, wholly or in part, by imposing another duty on the raw material, for the encouragement of the silk-grower. And this miserable quackery is wise legislation, and supported by the most eminent statesmen both of the Whig and the Democratic party, your Clays, Websters, Polks, Wrights, and Buchanans !

The government imposes a heavy duty on foreign goods for the benefit of domestic manufactures. But what is the compensating duty it can impose for the benefit of the agricultural community ? The duty on imports, if it operate as a protective duty, must diminish their amount. It lessens the ability of the foreigner to

sell to us, and, consequently, his ability to buy of us. Its effect on our own agricultural community is, to lessen their ability to sell their products, by diminishing the foreign demand; which reduces the price they can command for their products, at the same time that the duty enhances the price they must pay for every one of the protected articles they consume. We should like, therefore, to be shown, how it is possible, in the nature of things, for the government to contrive any way by which it can relieve the agricultural community from the burden of the tax imposed for the benefit of the manufacturer.

The manufacturing population do not and cannot, in a country of such vast agricultural resources as our own, afford an adequate home market for all our surplus produce. A manufacturing population, large enough to consume all the surplus agricultural products we could easily produce, would, with the present improvements in labor-saving machinery, be large enough to manufacture the principal articles of consumption for the whole world, and then the manufacturers would labor under the difficulty of having no adequate market for their goods. But this is certain, our manufacturing towns do not and cannot furnish an adequate market for our surplus agricultural produce. This surplus must either lie on the producer's hands, or else find a foreign market. But how is it to find a foreign market? Foreigners can buy of us only on condition of selling to us in return. We can refuse to buy of them only on condition of rendering ourselves unable to sell to them; for all trade is necessarily, directly or indirectly, an exchange of products. Purchases depend on sales, and sales on purchases. If we shut the foreigner out of our markets, we shut ourselves out of his; if foreigners shut us out of their markets, they equally shut themselves out of ours. But our protective duties, if they are really protective, restrict importations, that is, the sales of foreigners to us, and therefore, to precisely the same extent, our sales to them. Consequently, we restrict the foreign market to our agricultural produce

to exactly the same extent that we restrict the home market to foreign manufactures. Here is a positive disadvantage to the agriculturist, for which you can give him no compensation.

Nor is this the only disadvantage. The price of manufactures is determined by the demand for home consumption, and is not affected by the foreign demand; as is proved by the fact, that a duty on foreign importations can be protective. When any article, no matter what, depends on the foreign demand for its price, it is beyond the reach of protection; for protection secures only the home market, but this article has already secured that, and demands a foreign market. But the price of our agricultural produce is determined, not by the demand for home consumption, but by the foreign demand, and is determined by the price we can command for the surplus which seeks a foreign market. But the protective tariff lessens this foreign demand, and, consequently, the price the agriculturist can command for his produce, whether at home or abroad; for a lessened demand always lowers the price. Thus, under the protective tariff, the farmer sells less, and at a lower price. But the tariff raises the price of manufactures; for, if it do not, it is not protective. Consequently, under the operation of a protective tariff, the farmer sells less, and at a diminished profit, while at the same time he is compelled to pay a higher price for what he buys. You diminish his means, and increase his expenses. Here is the necessary operation of a tariff for the protection of manufactures. Will the advocates of protection tell us how they propose to compensate the agricultural interest? The simple truth is, if you will impose a duty for the benefit of the manufacturing community, you must do it at the expense of the agricultural community, for this is the only way in which it can be done. As honest men, you should, then, boldly avow, that you mean to tax the farmer and planter for the benefit of the manufacturer; or else repeal your protective tariff, and refuse to grant a special protection to any industrial interest.

There are other interests, such as the commercial and navigation interests, which are also affected unfavorably by the protective policy, and for which there is no compensating advantage; but we do not deem it worth our while to go into details. We have said enough to show the absurdity of attempting to afford an equal special protection to all interests. Such absurdities are well enough when put forth by "the Farmer of Ashland" and his partisans, because in perfect keeping with their general character and professions. We expect from that quarter nothing more sound or more honest. But we do grieve to find our Republican friends, men who profess a better creed, and who do know something of political economy, suffering themselves to be led away by Whig fallacies and absurdities. *The only possible way of protecting all interests alike is for the government to afford special protection to none.* The only wise course for an American statesman to recommend to his countrymen is that of free commercial intercourse with all nations. We wish we were, as a people, wise enough and honest enough to refuse to raise our revenue by duties on imports, and to raise it only by a direct tax on property. Politicians may say what they please, may express all the horror they can contrive to affect at the proposition; but a direct tax on property is the only honorable, the only just, the only wise tax. When the revenue is raised directly, the government is sure to be kept pure by being kept poor. Each man knows how much he pays, and is sure to look closely after its expenditure. But it is, at present, idle to contend for the system of direct taxation. That would be equal and just, and therefore must needs be offensive. The present system, which raises the revenue without any man's knowing precisely how much he pays, enables the government to plunder the people much more effectually, and to a much greater extent, than it could under a system of direct taxation, and, what is equally to the purpose, compels the poor man to pay relatively altogether a larger proportion of the tax than the rich. Your Abbott Law-

rences pay no portion of the tax to the government, but receive a bounty from it; while the poor girl in their mills pays a tax of at least some thirty *per cent.* average on every manufactured article she consumes. So, of course, direct taxation is out of the question. It would be horrible to make the rich bear their due proportion of the expenses of the government. Are not the poor the lowest *stratum* of society? On whom else, then, should rest its weight? But, in case we cannot go to direct taxation, but will continue to raise the revenue by imposts, we insist the duties should be laid on revenue principles, and for revenue alone. This is what, and all, that the opponents of the tariff contend for; we are all of us willing to support a revenue tariff with discrimination, — but discrimination *for revenue*, not *for protection*. For such a tariff we contend, on such a tariff we will insist, and decidedly, firmly, perseveringly oppose the imposition of any other. No party can count on our support, — and we speak not merely for ourselves individually, for on this question we represent a party, — any further than it labors in good faith, earnestly, and perseveringly, to adjust the tariff on revenue principles, and on revenue principles alone.

We have a high respect for the present candidate of the Democratic party. We hailed his nomination with pleasure; for we thought, from such of his speeches as we had read, that he was opposed to a protective tariff, and because we trusted his nomination would prove the dawn of a better era. But he has seen proper to come out in favor of a tariff which discriminates for protection; and no allegiance to party, no fear of endangering the success of the party in the election, shall deter us a moment from expressing our utter detestation of such a tariff. Nobody will suspect us of any undue partiality to the Whig party, or to its candidates, and nobody can with justice doubt our strong attachment to the Republican party, with which our political fortune is bound up; but we say boldly, that we would rather see our party eternally in the minority, than to see it acquiring power by the abandonment of one honest

principle, or by the adoption of a single measure of policy repugnant to justice, and to the real prosperity of the country. If we knew that our individual opposition to a protective tariff would defeat Mr. Polk's election, — on which, however, it will have no effect, — we would not hesitate a moment to oppose such a tariff. We should regret his defeat ; but we should regret the defeat of the party less than we should its accession to power, pledged to a protective tariff, or, what is the same thing, to "a revenue tariff with discrimination for the protection of home industry." The fear of endangering the success of one's party is a padlock to many a man's lips. It never has been, and never shall be, one to ours. We do not chance to believe in the *infallibility* of parties, nor that attachment to party absolves a man from his individual responsibility. The great question, which will be asked us in that day when we must all give an account of whatever we have done, will not be, Have you been true to your party ? but, Have you been true to the best light you had, or could obtain, as to what was for the true interest of your country ?

But in concluding these brief remarks, which we are well aware do by no means constitute an adequate discussion of the great subject they concern, we will venture to predict, that the time is not far distant, when the Northern manufacturers themselves will be as strongly opposed to the present protective tariff as we are. These manufacturers are, no doubt, very respectable business-men, and know something of bookkeeping, — very respectable citizens unquestionably, liberal, hospitable, in private life, and able and willing to entertain one very agreeably with good dinners, and not bad wines ; but they are by no means so far-sighted, even where their own interests are concerned, as they think themselves, or as many others think them. They must remember, that their principal market must always be the home market ; for ours is, and can be, but one manufacturing nation among many. Their principal home market is at the South and West. Have they

calculated how long they are likely to keep this market? The Southern States are a great market for our manufactures, because they are great staple States; and they are great staple States, because there is a foreign demand for their staples. Suppose this foreign demand to be cut off. Suppose that India, Egypt, South America, and Texas, in case it is not annexed to the Union, should finally be able to supply, or to supply to a very considerable extent, the European cotton market. What would be the effect on the Northern manufacturing interest? On what depends the ability of the North to sell its manufactured goods to the West and South? On the ability of the West and South to sell their produce. But to whom? Not to us; for we can consume but a small portion of it. Not to themselves; for they are sellers, not purchasers. To whom, then? Of course to foreigners. But suppose we exclude foreign manufactures, how shall foreigners be able to buy the surplus produce of the South and West? If foreigners cannot exchange their produce for the surplus produce of the South and West, the South and West cannot buy of us. What, then, is the necessary result? Why, the South and West must withdraw a portion of their capital now invested in agriculture, and go to manufacturing for themselves. Now, do not our manufacturers perceive, that the restrictive policy they advocate, by diminishing relatively the foreign demand, must necessarily ere long drive the South and West into manufacturing in self-defence; and that they are raising up a rival at home for the home market, with whom they will find it difficult to compete? And when they have raised up this rival, what then will be their condition? They will have lost their best market, and will find themselves with an immense investment of capital in manufacturing establishments, an overgrown manufacturing population, and little or no demand for their goods. This is the prospect before them, and to this result they are hastening as fast as possible. Mr. Webster seems to have seen this, and in his famous Baltimore speech, a year and a half ago,

suggested, as their true friend, the only policy which could avert or delay it. They rejected that policy, and he seems to have abandoned it. The time will soon come, but not till it is too late, when our Northern manufacturers will open their eyes, and begin to clamor for free trade, while the mighty West, having also embarked in manufacturing, and holding the balance of power, will insist on protection. Then your Lawrences and their compeers, who by their wealth have been enabled to float to the surface of society, and who are looked upon as directing its current because they are borne on by it, will be estimated at their true value; and hundreds and thousands, who have floated after them in the same direction, will curse the day when they suffered themselves to aid in fastening the iniquitous restrictive system on the country. It is rare that avarice fails to overreach itself, and to bring down upon its own head the punishment it merits. Our manufacturers remind us of a stanza by Southey, in his and Coleridge's *Devil's Thoughts*: —

“Down a river there plied with wind and tide
A pig with vast celerity;
And the Devil looked wise, as he saw how, the while,
It cut its own throat. There! quoth he, with a smile,
Goes England's ‘commercial prosperity.’”

And so our manufacturers, swimming with wind and tide down the river, are cutting their own throats; but before they have fairly done it, they will have become so involved in the whole industrial system of the country, and all the other industrial interests of the country will become so mixed up with the manufacturing interest, that their ruin will only make matters worse. It is not yet, perhaps, if we were wise, too late to remedy the evil; but we confess, that we “hope against hope”; that we see little prospect of the remedy's being applied in season, and that we turn pretty much in despair from the government. The fatal error has been committed, and we do not believe that there remains virtue enough in the community to retrieve it. We are a nation of mammon-worshippers, and there is

no good for us till we forsake our idolatry, and return to the worship of God, which we show no signs of being likely to do. In the mean time, hoping always that Providence may interpose to arrest the evil before it is past remedy, nothing remains for those of us who see the evil, and would make our country great, glorious, virtuous, and happy, but to keep on our way, sowing, it may be, in discouragement and grief, but trusting still to Him who permitteth not a sparrow to fall without his notice, that in due time we shall reap if we faint not.

ART. V. — *Might and Right.* By a Rhode Islander.
Providence : A. H. Stillwell. 1844. 12mo. pp. 324.

IT is no pleasant task to us to review this work, a professed history of the proceedings of the late Suffrage Party in Rhode Island. It is a work written with intense feeling, and very considerable ability, by one for whom we entertain, and always must entertain, a very high personal regard. We find in it the spirit of a high-toned woman, a woman's deep sympathies, just sense of humanity, and, we may add, a woman's reasoning, more perplexing than convincing, and better adapted to touch the heart than to satisfy the understanding. Moreover, we once ventured to call the individual principally concerned in these proceedings our personal friend. We esteemed him as a man of no mean intellectual ability, of firm principles, of ardent devotion to popular rights, a true-hearted patriot, and an honest man. And of him, personally, we have seen no cause to change our opinion. We have delighted to meet him in his office, and felt ourselves honored by his friendship. We should regard his friendship, which unhappily we do not retain, no less now he occupies a prisoner's cell, than formerly. We believe he acted

from his convictions of right, that he was sincere in what he attempted, and that his only motive was to benefit the mass of the people of his native State.

And yet we have never for one moment approved the proceedings of the Suffrage Party. We, in common with the great body of the American people, wished to see the elective franchise extended to the great mass of those who could not be electors under the old established freehold qualification. Though not by any means accustomed to rate the elective franchise so high as do the members generally of the political party with which we are associated, and though very far from believing the acquisition of universal suffrage equivalent to the acquisition of liberty, or that universal suffrage affords any considerable guaranty, in a country where inequality of property obtains, of wise or just government,—we have yet believed it essential to the perfection of the political system adopted in this country, and have therefore always advocated its general adoption. Accordingly, we were among those who encouraged the formation of the Suffrage Association, believing, as we did, that its only design was to act on public opinion, and by the force of opinion to compel the Charter government to take measures for the formation and adoption of a more liberal constitution. We willingly accepted an invitation to address the Association, in Providence, early in January, 1841, in favor of an extension of suffrage. We watched the progress of the movement up to the time of calling the Suffrage Convention, when, becoming engrossed with other matters, we paid no more attention to the subject, till about the time when the new government under the People's Constitution was preparing to organize itself. We regarded the whole proceedings under that constitution as illegal and revolutionary; but we were not disposed to condemn them with much severity, because we could not perceive how any amendment could be legally introduced, or the evils complained of legally redressed. We supposed the restriction on suffrage was a provision of the charter, and, if so, it could not

be altered by any legal authority in the State, as the charter did not provide for its own amendment.

Taking this view of the question, we argued, that, let the measures for the extension of suffrage or the formation of a new constitution emanate from what source they might, from the Suffrage Association or from the General Assembly, since not authorized by the charter from which existing authorities derive their existence and power, they must needs be, in fact, illegal and revolutionary. The People's Constitution is, we said, confessedly illegal in its origin; but so also must be a constitution framed by a convention called by the General Assembly, for the General Assembly has no authority from the charter to call a convention. Since, then, the Suffrage Association have called a convention, since that convention has framed a constitution, and since a majority of the people of Rhode Island, as it is alleged, have voted for it, it is decidedly best to let it go peaceably into operation. It is not, it is true, a good constitution; it contains several very objectionable features; but as it provides for its own amendment, it may hereafter be amended; and, bad as it is, it is better than the old charter. Presuming, from the information we received, that an immense majority of the people were satisfied with it, we concluded that nothing was wanting but a little firmness on the part of Mr. Dorr and his friends in its defence, to induce the Charter Party to yield, and suffer the new government to go quietly into operation; and being also a little indignant at what we regarded the unwarrantable interference of the Federal executive, we wrote to Mr. Dorr a letter, which he has since done us the honor to publish, and which he must have received a day or two before his attack on the Arsenal, detailing the conversation we had had with a Whig member of the Massachusetts legislature, and urging him to firmness in asserting the constitution under which he was elected. That the letter may be construed into the expression of approbation of Mr. Dorr's principle of proceeding is very possible, for it was hastily written for a special purpose; but it was not intended to express any

approbation of any thing but his cause, to wit, extension of suffrage ; for that was all in his proceedings we really approved.

But, after Mr. Dorr's failure, it came out that the limitation of suffrage to a freehold qualification was *not a provision of the charter, but an act of the legislature*. This changed the whole aspect of the case ; for now it could no longer be pretended that there was no legal authority in the State competent to extend the elective franchise to all to whom it could be advisable to extend it. We saw that we had reasoned from false premises, and had therefore come to false conclusions. And when we met with a very able pamphlet on the subject by the Hon. Elisha R. Potter, at present a member of Congress from Rhode Island, we found that we could not, without belying our own cherished convictions, any longer countenance, in any form or manner, the proceedings of the Suffrage Party. Since then, we have expressed, on various occasions, our dissent from them, and in some essays on the *Origin and Ground of Government*, published in the *Democratic Review*, in the summer and fall of 1843, we discussed the whole doctrine involved in them with as much thoroughness as seemed to us necessary.

We have made these personal explanations, because our course in regard to the Suffrage movement in Rhode Island has been much misrepresented, and adduced as another instance of our fickleness and frequent changes of doctrine and position ; and because it has been made the occasion of bringing us, to no inconsiderable extent, under the ban of our own party. We have no apology to offer, and nothing of which to accuse ourselves, but that of relying on the representations made of the charter by our Suffrage friends, instead of consulting the charter itself. Had we taken the proper pains to inform ourselves of its real character, in the first instance, we should have never for a moment *seemed* to occupy any other position in regard to the Suffrage movement than we do now ; for our principles have undergone no change, and we had expressed, had even written out

and published, the same doctrines as applicable to the case before, that we have since, as any one may satisfy himself by consulting Mr. Potter's pamphlet to which we have already alluded.

On one point, however, the controversy growing out of the Rhode Island Suffrage movement has led us to reflect more than we had previously done, and on which our views, if not changed, have at least become clearer and more definite. We refer to what is called *the sacred right of revolution*. We believe the *political sovereignty*, under the spiritual sovereignty of Christ, which has always a visible embodiment and organ on earth, *resides in the body of the nation*. We say *nation* instead of *people*, because the term is less ambiguous. The term *nation* conveys always the idea of a corporation, an organic body ; while the word *people* may mean only a numerical collection of individuals. A nation never exists without a legal constitution of some sort, written or unwritten, and some legal forms or modes for collecting the national sense. Now, since the nation has a corporate existence by virtue of the fact that it is a nation, it possesses in itself the supreme political power, which commissions all the officers of government, and to which they are responsible. When these officers, or what is called the government, betray their trust, break the fundamental laws of the nation, whether those laws are written on parchment, or in the customs of the people existing from time immemorial, the nation, acting in accordance with these laws or customs, may unmake the administrators of the government, commission new ones, and institute new guaranties against abuses, and even by force of arms, if necessary. So far as this is a right of revolution, we are advocates of that right, but no farther. But so long as the legitimate administrators of the government observe the national laws, and administer the government in accordance with them, honestly, and with a single eye to the maintenance of justice, we hold all resistance to the civil authority to be criminal. A revolution, for the mere purpose of changing the form of the government, of

substituting one form of government for another, as monarchy for aristocracy, or democracy for monarchy, or *vice versâ*, we hold to be never justifiable. The authorities must themselves transgress the national laws, and put themselves thus out of the protection of the law, before the citizen or subject can have the right to resist them. We may resist tyrants and usurpers, but never the lawful magistrate in the lawful discharge of his official functions.

The principles here laid down will justify the colonists in their separation from Great Britain, but not Mr. Dorr in his attempted revolution in Rhode Island. Our fathers took up arms to resist an aggression on their constitutional and chartered rights. They contended, not that the British government had invaded or failed to secure certain assumed abstract rights of man, but their rights as recognized by the British Constitution and the colonial charters. It is against George the Third as a *tyrant*, as violating the national laws, that they profess to take up arms; not against the king in the legal exercise of his constitutional prerogative. But the Suffrage Party planted themselves on no national law of Rhode Island, written or unwritten; they alleged, and could allege, no transgression, on the part of the Charter government, of any public law, no usurpation, no act of tyranny. They simply alleged that the Charter government did not correspond to their notions of the best possible form of government, did not secure what they regarded as the abstract rights of man; and they took up arms, not to expel a tyrant or usurper, but to establish a new form of government, more conformable to their notions of abstract truth and justice.

Here is a broad difference between the Suffrage men and the patriots of the Revolution, which the author of the work before us has failed to recognize, and which would have prevented her, had she recognized it, from placing the heroes of Federal Hill and Chepachet on the same line with the heroes of Saratoga and Yorktown. The former were, view them in what light you

will, rebels against legitimate authority ; but the latter were resisting aggression, and vindicating the violated majesty of the laws. The Suffrage men may have meant well, and they may have incurred no great share of *moral* guilt ; for to moral guilt there must be a guilty moral intent, or, what is the same thing, a culpable ignorance. But they were politically rebels, and could be treated only as such by a government that respected itself, and resolved to discharge its legal functions.

We regard this question as one of vital importance in our country. The laws have, with us, their chief support in public opinion. Let that opinion become unsound or corrupt, and the laws lose their force, and we are without protection. If the doctrine once obtain among us, that legal authority may be set aside for the purpose of making the government conform to our abstract theories of human rights, there is no foreseeing the lawlessness and anarchy which will ensue. The symptoms are already threatening ; and recent riots and mobs, and, worse than all, the delay and hesitancy of authority in using force for their suppression, and the very extensive doubts which obtain as to the rightfulness of resorting to force at all, are to us really not a little alarming. We are, we own, sensitive on this subject ; when we reflect that we have recently come to entertain a faith extremely odious to the great majority of our countrymen, and when we see associations formed expressly for its suppression, its adherents shot down by an armed mob in the streets, and its consecrated churches in flames, while the rabble, not composed altogether of those commonly meant by the lower classes, look on and shout, we feel more and more the necessity of rebuking the mobocratic spirit, in whatever form it may manifest itself, and more and more the necessity of inculcating a reverence for law, and strict obedience to the lawful magistrate in the discharge of his lawful duties. We cannot afford, in this country, to insist on "the sacred right of insurrection," for we shall, if we do, have bands of insurgents ere long in every town, village, and hamlet, in the land. Whatever we may think of

Mr. Dorr and his friends personally, we cannot approve their measures, or defend their doctrines, without a terrible hazard to the country, to all security of peace, life, property, and conscience.

As to the proceedings of the Law and Order Party in Rhode Island, we are far from believing that they are in all cases defensible. We are glad that that party has succeeded ; but it is evident now that it magnified the real danger, and was less calm and collected than it might have been. We think the friends of the government suffered themselves to be exasperated beyond measure, and to practise, in some instances, cruelties which were as cowardly as they were uncalled for. But we must say for the people of Rhode Island of both parties, that in general they came as near making war on *Christian* principles as could be expected. They seem to have had a generous disposition to do as little harm as possible to their friends and neighbours. Still, we wish the friends of the government had shown a little more consideration to the prisoners taken at Chepachet after the war was over, and, as they had shown much tenderness of heart during the battle, that they had continued to show the same in the flush of victory. They must have known that the Suffrage men, women, and children, however mistaken or deluded, were not really criminally disposed, and would not have espoused the cause they did, had they felt that it was *morally* wrong.

But making all abatements for the panic and the momentary cruelty, we doubt whether, upon the whole, we ought not to say that the Algerines, as they are called, conducted with singular moderation and leniency, under the circumstances. We cannot wholly approve all their doings, but we do not think that they are deserving any great severity of censure. It seems to us, that, since the panic subsided, — perhaps not an unreasonable panic, — they have been disposed to let off the offenders as easily as possible. The convictions and punishments have been very few ; and we believe that there has been no one, charged only with a political offence,

but could have escaped all punishment by taking an oath of allegiance to the existing government, and giving moderate bonds to keep the peace. We are sure no government was ever more moderate in its demands, or showed itself more ready to forget and forgive the past.

The case of Mr. Dorr is, we own, one of considerable hardship. Mr. Dorr had, we believe, no private ambition to gratify; we know, personally, that he very reluctantly became involved in the proceedings of the Suffrage Party, and we have no doubt that he himself believed that he was engaged in a great and holy cause, and perfectly justifiable in the course he took. It may be said that he ought to have known better, lawyer as he was, and this cannot be denied; but when we find such men as Mr. Van Buren, Senators Benton and Allen, Governors Hubbard and Morton, and Messrs. Bancroft, M'Neil, Rantoul, and Hallett, supporting him, and maintaining the strict justice and legality of his proceedings, we may, perhaps, find some palliation of his offence. We can easily believe him free from *moral* guilt. His party is so completely prostrated, and public opinion, notwithstanding appearances, is so decidedly against his proceedings, that we do not believe that considerations of public safety require his incarceration. Personally he has been at least sufficiently punished. The government of Rhode Island is as firmly established as that of any other State in the Union. Let it permit one, whose good intentions it has no reason to distrust, to tell it that it is strong enough to be generous. We own, the insane proceedings of individuals out of the State must be offensive, and that no government that respects itself can yield to their demands. They are wrong. They are cruel to Mr. Dorr, whose friends they pretend they are. They are really his worst enemies. And yet the government can disregard them, and be generous without fear of misconstruction. An act of clemency is sometimes worth more to a government than the infliction of a merited punishment. The government has done itself honor in imposing the heaviest penalty on the chief

instead of the subalterns. It has vindicated the majesty of the law ; it has shown its justice ; now let it show its mercy, and blot out the memory of the past.

We have been assured that the authorities of Rhode Island are ready to liberate Mr. Dorr the moment he testifies his willingness to submit to the existing government, and to take the oath of allegiance. That he should be reluctant to do this is not strange. He holds that he has committed no offence ; that the acts for which he is punished were done by him as the rightful governor of the State, in the conscientious discharge of his constitutional functions. His failure to maintain his authority before superior force did not and could not vitiate his title, or render his acts criminal. Shall he now yield, acknowledge himself guilty, and sue for pardon ? No ; better die on the scaffold, or rot in the dungeon. This is the view which he takes.

We hope we are able to reverence the martyr spirit wherever we see it displayed ; and we frankly own, that, if we took Mr. Dorr's own view of his case, we should look upon him as a sublime example of moral heroism. But he himself must be aware that there is something to be said on the other side. Even his acceptance of the office of governor under the People's constitution was treason by the law of the State. Of this he cannot doubt. Then he was not the rightful governor of the State ; and if not the rightful governor of the State, there can be no question that the acts he performed rendered him guilty of treason. The Act of the General Assembly, April 6, 1842, entitled "An Act in relation to offences against the sovereign power of the State," declared his attempt to exercise the office of governor to be treason ; and that law was valid, because the General Assembly was still in the full exercise of all its legislative functions, had been superseded by no law paramount to its own, and was, in fact, the only known legislative authority in Rhode Island. It is idle to pretend, that, on the 6th of April, 1842, the General Assembly had ceased to exist, or in any sense been superseded. An association, unrecog-

nized by any public law or any public authority, had, it is true, framed an instrument which was called a constitution, had sent it out, and a number of persons in Rhode Island, said to be a majority of all the adult males in the State, recorded their names in its favor, and certain individuals, equally unknown to all existing public authority, declared it to be the paramount law of the land. But this could not make it so. Every body knows that it was not the paramount law of the land *de facto*. Was it the paramount law *de jure*? Its advocates say now, indeed, that it was, because a majority of the people of Rhode Island had voted for it. But to this we may reply, 1. That the fact, that a majority did vote for it, has never been legally ascertained, and is more than questionable; 2. That it is well known that the intent of large numbers who did vote for it was, not to establish it as the constitution of the State, but simply to record their opinion in favor of an extension of suffrage; and 3. That, even if a majority had voted for it with the intent to adopt it as a constitution, it would not have been the paramount law of the land, because there was no law in Rhode Island, written or unwritten, which declared the will of the majority of the adult male population the supreme law.

Furthermore, the existing public authorities *ignored* it, and its warmest and most influential friends did not hesitate to acknowledge the legality of the existing authorities, by holding seats in the General Assembly, and participating in its doings. Mr. Atwill, a legal gentleman of respectable attainments, and subsequently Mr. Dorr's attorney-general, when the question came up in the Assembly, was unwilling to give it as his opinion that the People's constitution was the paramount law of the land, and even expressed a doubt to the contrary. The whole conduct of the Suffrage Party at the time shows that they entertained the same doubt. The propositions made respectively by Messrs. Burgess and Keech, two of Mr. Dorr's friends, to the Assembly, — propositions to abandon, on certain conditions, the People's constitution, — showed that it was not

regarded by them as having any legal force ; for, if they had so regarded it, they could not have made propositions for setting it aside, for they would have regarded such propositions as treasonable.

But if this constitution was not at that time the paramount law of the land, as it was not, either in fact or in right, or even in the estimation of its friends, the General Assembly was in full force as the supreme legislative authority of the State. Consequently, its legal acts were binding on all the citizens of the State. They were, then, binding on Mr. Dorr, and, by doing what it declared to be treason, he incurred the political guilt of treason, and therefore became obnoxious to the penalty annexed. Now, since nothing can be clearer than that he is guilty of treason according to the laws of his State, there can be no real self-abasement, or want of manliness, in admitting the fact, by submitting to the existing authorities, and consenting to receive a pardon.

We say further, that, setting all this reasoning aside, Mr. Dorr is bound by his own principles to submit to the existing government, and to take the oath of allegiance. Mr. Dorr contends that the majority of the people have the inherent right to rule. This, with him, is a natural right, at least recognized as such by the American system of government. We, of course, do not admit this ; but he does, and that is enough for him. The will of the majority, therefore, however expressed, is the supreme law. The People's constitution was adopted by the majority of the people ; therefore it was the supreme law. He was elected governor under that constitution, and therefore he was legally elected, and therefore was the rightful governor of the State. Be it so. But, subsequently to the adoption of the People's constitution, a majority of the people of Rhode Island adopted another constitution. This subsequent constitution necessarily overrides the preceding one. Now, if the will of the majority has a right to rule, it has the right to rule through this subsequent constitution ; for this is the latest expression of their

will. Consequently, Mr. Dorr is bound by his own principles to recognize it as the legitimate government, and may therefore take the oath of allegiance without abandoning in the least the principles for which he has contended. We are surprised that he did not see this, and avail himself of this argument, before his trial; for we presume, that, if he had so done, and taken the oath, he would not have been brought to a trial at all.

But we have no room to extend our remarks. We have merely wished, while expressing our sympathy with Mr. Dorr, and our earnest desire for his liberation and restoration to his social and civil rights, to say a word in defence of the authorities of Rhode Island. We believe the government of Rhode Island is much calumniated, and that, if the American people fairly understood the case, they would by no means tolerate the abuse so liberally heaped upon it. For ourselves, we believe that the interests of humanity and social progress are fully as likely to be promoted by siding with the public authorities in the legal discharge of their legal functions, as with those who resist them. It is not the part of good citizens to take it for granted that the government is always in the wrong, and that they who resist it are always in the right. As a general rule, the interests of social and individual progress and well-being require us to sustain the constituted authorities, and *always* when these authorities keep within the sphere of their constitutional powers.

For the book which we have introduced, we have not much to say. It is ably, in some passages eloquently, and even powerfully, written. It is not always correct in its details, and is very far from possessing the true character of a historical work. The most we can say of it is, that it is an able, an eloquent, apology for Mr. Dorr and his friends, — as able as any thing we have seen written on the subject. But it is so erroneous in its premises, so false in its conclusions, so dangerous in its doctrines, so well calculated to mislead, and to undermine the foundations of all proper respect for authority, for law, that we dare not recommend it to our readers.

ART. VI. — LITERARY NOTICES AND MISCELLANIES.

1. — *The Library of American Biography.* Conducted by JARED SPARKS. Second Series, Vol. II. Boston: Little & Brown. 1844. 16mo. pp. 405.

THIS volume contains the Life of James Otis, by Francis Bowen, and the Life of James Oglethorpe, the founder of Georgia, by William B. O. Peabody. Neither can pretend to the rank of biography. Mr. Peabody has, however, given us a very interesting and chastely written essay on the life of General Oglethorpe, the Wesleys, and the first settlement of Georgia, which contains a good deal of valuable information, though we can hardly say much that sheds any new light either on American history, or American biography. Still, it is a pleasant book, and not without utility.

Mr. Bowen's Life of James Otis is precisely what we should expect from the author, a writer who makes unbounded pretensions, assumes a lofty air of wisdom, and speaks in a dogmatic, even oracular, tone; but whose utterances usually, when not perversions of the truth, or stolen from others, turn out to be pompous nothings. Of all our writers whom one feels obliged to notice, he is to us the most disagreeable. He is insufferable. We have a volume of his Philosophical Essays now lying before us, which professes to discuss some of the most important questions in philosophy, but which, while it condemns all writers but Francis Bowen, does not contain any positive principle or doctrine to which its author can be fairly said to commit himself. This Life of James Otis, save so far as taken from the larger Life by Mr. Tudor, is full of inaccuracies. He overrates the influence of Mr. Otis, and underrates that of Samuel Adams. Mr. Otis was, no doubt, a zealous patriot; but the great man of the American Revolution, in Massachusetts, was Samuel Adams. Mr. Bowen is wrong, also, in pretending that the right of the parliament of Great Britain to legislate for the colonies was generally admitted. The colonists acknowledged themselves subject to the *crown* of Great Britain, but not to the *parliament*; and it was the attempt of the parliament to exercise jurisdiction over them, that led to the controversy which resulted in the independence of the colonies. Hence, when parliament, on repealing the offensive acts, asserted its right "to bind the colonies in all cases whatsoever," the colonists felt that the cause of their complaint was not removed. They contended, that, though they owed allegiance to the crown, they were subject to no *legislative* authority but that of their own provincial assemblies. Mr. Bowen has blundered on this subject in his usual confident and dogmatic manner. Still, he possesses considerable ability, and, so far as the choice of words and the mechanism of sentences are concerned, is, no doubt, worthy of the reputation he has acquired with the small *coterie* to which he belongs, to which he will remain faithful in life and in death, and beyond the bosom of which his celebrity is not likely to extend.

- 2.—*Summer on the Lakes, in 1843.* By S. M. FULLER. Boston : Little & Brown. 1844. 12mo. pp. 256.

THE publishers tell us that this book has had a very respectable sale, which we are glad to learn, for the writer's sake. Miss Fuller is a woman of more than ordinary abilities, and, we are told, of rare attainments. She is said to possess remarkable conversational powers, and her conversations, which she has been in the habit of holding, we believe, as a means of meeting her expenses, are represented by her friends to be in the highest degree brilliant, instructive, and inspiring. This we can partly believe, though we have never had the honor of listening to her in her happiest moments. Her writings we do not like. We dislike them exceedingly. They are sent out in a slipshod style, and have a certain toss of the head about them which offends us. Miss Fuller seems to us to be wholly deficient in a pure, correct taste, and especially in that tidiness we always look for in woman. Then, we detest her doctrines. We know nothing more abominable. She is a heathen priestess, though of what god or goddess we will not pretend to say. She is German, heart and soul, save so far as Germany may retain traditionally somewhat of Christianity. We believe no person has appeared among us whose conversation and writings have done more to corrupt the minds and hearts of our Boston community. For religion she substitutes Art; for the Divinity who has made us, and whom we should worship, she would give us merely the Beautiful; and for the stern morality of the Gospel, such principles as we may collect from the *Wahlverwandtschaften*, and Goethe's *Correspondence with a Child*. She is, in fact, the high-priestess of American Transcendentalism, and, happily, ministers now at an almost deserted fane.

We admit that she has read much and variously; but her notions are crude, and the materials she has collected lie fermenting in her intellectual stomach, and generate all manner of strange and diseased fancies. She is ill at ease. She has no quiet, no repose. She has no faith, no hope. She now reminds us of the old heathen Euripides, now of the modern skeptic, Byron, and finally, of the cold indifferentism of Goethe dashed on the warm woman's heart of Bettina Brentano. We see in her a melancholy instance of the fate which awaits a gifted woman in an age of infidelity. All she needs, to be the ornament of her sex, and a crown of blessing to her country, to be at peace with herself and the world, is the firm, old-fashioned Catholic faith in the Gospel. Her soul would then burst its fetters, all her powers would find free scope, and her heart the rest after which it yearns.

The book before us is characteristic. It is marked by flashes of a rare genius, by uncommon and versatile powers, by sentiments at times almost devout; but after all it is a sad book, and one which we dare not commend. Alas! it is melancholy to contemplate the noble victims sacrificed to the Moloch, Doubt; still more sad, when the sacrifice is made by priests aping the forms of Faith, and the

vestments of Piety! God grant the ages of Faith may return, that our sons and daughters may return and come to Zion, obtain joy and gladness, and sorrow and sighing flee away!

3. — *Remarks on the Seventh Annual Report of the Hon. Horace Mann, Secretary of the Board of Education.* Boston: Little & Brown. 1844. 8vo. pp. 144.

WE have no room, at present, to remark on the subject introduced by this pamphlet; but we hope to be able to discuss it at length in our number for January next. Whether we shall agree or not with the Boston Teachers, we are free to say that we have no sympathy with the views of Mr. Secretary Mann. We regard his whole theory of education as founded in error, and we cannot but believe that all attempts to reduce it to practice are opposed to the cause of genuine education. Mr. Mann knows nothing of the philosophy of education, for he knows nothing of the philosophy of human nature, and nothing of Christian morals and theology. His theory is derived from German quacks, and can only rear up a generation of infidels. Our common-school system needs an entire reform, and to be organized on other principles, and after another model. It does little or no good as it now is; or, at least, the evil which it occasions goes far to overbalance the good it effects. The growing immorality of the times, and particularly of New England, and of Boston even, in which filthy and corrupting publications find a readier sale and more greedy readers than in any other part of the Union, should admonish us that something is wrong in our system of education.

4. — *Irish Girl: and other Poems.* By SARAH ELLIS. Author of "Women of England," "Poetry of Life," &c. New-York: James Langley. 1844. 16mo. pp. 263.
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5. — *The Brother and Sister, and other Tales.* By SARAH ELLIS. Author of "Women of England," "Poetry of Life," &c. New-York: James Langley. 1844. 18mo. pp. 216.
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6. — *The Poetical Works of Winthrop Mackworth Praed.* Now first collected, by RUFUS W. GRISWOLD. New-York: Henry G. Langley. 1844. 16mo. pp. 287.

CLOSE OF THE VOLUME.

IN bringing the first volume of our Review to a close, we have but little to say, except to express our gratitude to the public for the generous encouragement they have extended to our humble but well meant labors. Our expectations have been more than realized, and the edition we printed has been pretty much all taken up. Our thanks are due to the newspaper press, which has spoken of us generally in terms of kindness and respect. To the personal friends who have interested themselves in our work, and labored for our success, we owe more than we can express. May they never have cause to regret the friendly offices in which they have abounded.

We have nothing in particular to promise for the future. We are encouraged to go on with our publication, and its general character hereafter may be inferred from what it has thus far been. Doubtless, as we pursue our own investigations, we may see cause to modify our views on various subordinate matters; but our general theological, moral, and political theories must be looked upon as fixed. When we see cause, if we ever shall see cause, to change them, we shall throw up our Review, or suffer it to pass into other hands. We trust, however, that that time will not come. After years of wandering, doubt, and perplexity, we have found a resting-place, and the heart the repose it has sought. What we embrace as truth we shall continue to proclaim with our old freedom, and without conferring "with flesh and blood,"—without stopping to ask whether it will be acceptable to the great majority of our countrymen or not. The position we occupy cannot now be mistaken, and we need say nothing in regard to it. Our philosophical articles in this volume define our philosophical position; our theological essays, especially our more recent ones, tell also where we stand, and hope always to stand, in the religious world. The political articles we have published speak for themselves, and are a pledge of our future course. We shall continue to discourse on all topics of general interest, according to our ability, inclination, and opportunity; holding ourselves free, saving our obligation to maintain the orthodox faith, to follow the bent or the humor of our own mind in the selection of topics and the manner of treating them. We hope we have done nothing this year to forfeit the good-will the public had for us last January. We hope we have faithfully redeemed the obligations we then entered into with the public, and that we are free to count on a continuance of its favor. We shall study to deserve popular favor, by doing nothing to court it; to deserve well of our country, by laboring, so far as a man may venture to say so, with an eye single to the glory of God, and the good of man individually and socially. With these remarks, we close this volume, hoping, through God's merciful providence, to be able to greet all our old readers, on the first of next January, with "a happy new year."